THE BURTHEN OF *ISSACHAR*:

OR,

The Tyrannicall Power and Practises of the PRESBYTERIALL GOVERNMENT in *Scotland*;

In their
- I. *Parochiall Session.*
- II. *Presbyterie.*
- III. *Provinciall Synods.*
- IV. *Generall Assembly.*

WITH

The Articles of PRESBYTERIAN Faith inconsistent with MONARCHIE.

Whereby it is evident, that *Presbyteriall* Fingers are heavier then *Episcopall* Loynes; these correcting with a Rod, those with a Scorpion.

And therefore it is not the Kingdome and Government of JESUS CHRIST, whose Yoake is easie, his Burthen light, and his Scepter a Scepter of Righteousnesse.

MATTH. 24. 23.

Then if any man shall say unto you, Loe Christ is here, or there, beleeve him not.

LUKE 9. 46.

Then there arose a reasoning among them, which of them should be the greatest.

Chrysost. in Matth. Hom. 37.

Τί τῶν πεφυσιωμένων ταραχωδέστερόν τε, καὶ μανικώτερον.

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A PROTREPTICK TO THE *ENGLISH* NATION, my deare Countrey-men and BRETHREN.

THE *Prerogative of a* King, *and the Libertie of* Subjects, *are like the* Wheeles *in* * Ezekiel's *Vision, like* Zacharie's two Staves; *so neceſſarie is their dependencie of the one from the other, ſo inter-woven and knit together, that whoſoever attempts to diminiſh the former, endeavours by conſequent to deſtroy the latter: For, as* Kings *derive their Royall Power and Soveraigntie* primarily *and* immediately from God, *whoſe Deputies and Vice-gerents they are upon Earth; ſo they are inſtituted and ſet over us* by God, *for the making and eſtabliſhing of good Lawes and Conſtitutions, whereby Eccleſiaſticall and Lay perſons may be held to the performance of their ſeverall duties and ſervices, and all thoſe who diſturbe the Peace of the* Church *and* State, *may be reſtrained from their inſolent and bold Attempts, by juſt and deſerved puniſhments.*

* Ezek. 1. 16. Zach. 11. 7.

Vide Joh. 19. 11. Pſ. 62. 11. Rom. 13. 1.

In respect of this Charge and Office of a King, *it was the Religious* Constantine *said once to the Bishops in his time;* ὑμεῖς μὲν τῆς ἔσω τῆς ἐκκλησίας ἐπίσκοποι, ἐγὼ δὲ τῆς ἐκτὸς. *So wee reade in* Eusebius; *He acknowledged them to have a Power which he had not; that is, to Preach the Word, and deliver the Sacraments, as also the power of Excommunication, which rests onely in their persons: but a Bishop* (id est, *an Over-seer*) *he professed himselfe to be, in the externall Affaires of the Church, in that his Power reached and extended so farre, as to call Synods, to assemble the Divines, for the ordering of Church-Affaires, by Canons and Edicts tending to that purpose: and he had a Power too, to punish the Ministers, and to cause them to be Degraded, Silenced, or Imprisoned, in case they broached Hæresies, or by Schismaticall Tenets disturbed the quiet of State or Church. Thus* Constantine *was, and thus every* * King *is* Episcopus. *This is one part of the Royall Prærogative.*

Eusеb. lib. 4. de vit. Constant. c. 24.

* *You may reade this confirmed by the learned* Rivetus, in explicat. Decal. p. 206.

They *that joyne Issue with the* Jesuites, *and denie the* King *in this sence, or for that respect, to be* Head of the Church; They *that stab Him with their Penn's, and wound Him with their Tongues*; They *that degrade Him from His Throne, and by their audacious Practises denie Him that Authoritie* in *or* over *the* Church, *which is assigned Him by* Gods *speciall Providence*; They *that tread upon His Head, and trample the Crowne under their feet, must needs presse His Shoulders* (*the* Peeres) *and be grievous to the rest of the Members, the Kings inferiour Subjects*; They *will appeare to be enemies to our Peace and Liberties, for which so much Innocent Bloud hath beene spilt, with the Ruine of many brave* Spirits, *and the destruction of ancient* Families.

Now, if any desire to know who these King-curbers *are, who are likest to give fire to that Popish Traine of Powder which hath beene layd for many yeares, to blow up* in summum *all* Regall *Supremacie over the Church; if you desire to be informed, who they be that conspire with* Bellarmine, *and the*

the reſt of that Jeſuiticall Faction, to depoſe Kings and Epiſcopall Juriſdiction; for your ſatisfaction in this, doe but peruſe the Scriblings of this Age, and you ſhall find, that they have ſuck'd Bellarmin's *and* Mariana's *Breſts, that* * *their throats are open Sepulchres, wherein they burie the fame and honour of their Princes*; their tongues ſharpe Arrowes, *which they ſhoot at the very hearts of the grave* Prælates, *the Over-ſeers (next under his Majeſtie) of the Church. In a word, doe but examine their Workes, you will affirme, That they have proſcribed Faith, and baniſhed all Religion and Honeſtie out of their Breſts; ſhould I have ſaid Conſciences, I had lyed, for they have none,* in whoſe wayes are unhappineſſe and deſtruction.

Vid. Bellarm. de Concil. lib. 2. cap. 19. *with whom accords* Buchan. de Jure Regni, p. 81.
* Pſal. 5. 9. Pſal. 57. 8.
Rom. 3. 16.

I could here drop a teare, forced from that griefe which prevailes in me, to ſee, That men ſhould be ſo wicked, who pretend to be Zelots, *and talke much of* Chriſt *in their Pulpits, yet are worſe, for their Crueltie and bloudie Tenets, then the very* Turks *and* Infidels, *who would bluſh, ſhould they ſee what Maſſacres and Murthers, what Rapines and Villanies are acted even by thoſe who ſtile themſelves* Chriſtians. *I am wearie of theſe Invectives, I will onely adde this out of a learned Author,* Nemo poteſt diu ferre perſonam fictam, citò in naturam ſuam recidunt, quibus veritas non ſubeſt. *Let ſuch Hypocrites remember, that the infinite Eye and Wiſedome of God doth pierce through all their Pretences; that he diſcernes their moſt reſerved Purpoſes, and hidden Practiſes; that he is privie to their deepe Plots and Rebellious intentions, which neither the beautie of apparant Actions, nor all the Formalities which (to gaine the Worlds opinion) they put on, can in any or the leaſt kind cover from his knowledge.*

Sir Walter Raleigh, *in his Preface to the Hiſtorie of the World.*

Againe, let them remember, that the judgements of God are ever unchangeable, neither is he wearied by the long proceſſe of Time, and woon to give his Bleſſing in one Age to that which he hath curſed and ſeverely puniſhed in another. Remember Corah, *with his Complices; thinke, and that ſe-*

Numb. 16.

riously, of what they ſuffered for their Rebellion againſt Moſes *and* Aaron. *I ſay no more of this, but heartily exhort all that imitate them to a ſpeedie repentance.*

And I humbly entreat all thoſe that ſhall peruſe this enſuing Treatiſe, to lay aſide all partiall conceits and prejudice, which may beget in them a diſtruſt of the Authors fidelitie, becauſe he cites not Authorities for his Hiſtoricall Reports. The Apologie of that moſt learned Knight, *Sir* Symonds D'ewes *may be his; he was unwilling to ſtuffe the Margin of his Booke, and wearie his Readers patience with Quotations:* Fides nequaquam vi extorquetur, ſed ratione & exemplis perſuadetur, *ſayes* Iſidore. *Therefore, as I cannot extort by violence a beliefe from the hearts of thoſe that ſhall peruſe this elaborate Worke, ſo I entreat them to faſten in their minds this perſuaſion; That the Author for his* gravitie, pietie, *and* skill *in all Antiquitie, for this as he deſerves to be reverenced and honoured, ſo for this he may be believed, in that hee was an eye-witneſſe (whileſt hee lived among the* Scots) *of many uncivill, nay, barbarous Ryots of the* Presbyterians, *which you ſhall find recorded in this moſt judicious Treatiſe: which if it worke not upon the Judgements of the* Engliſh, *ſo as to move them to a diſlike and hatred of that Government, which brings a Curſe with it to the Church, whereſoever it is ſetled; but, if for all theſe warnings from* God *by his* Meſſengers, *the* Miniſters *of his* Word, *they ſhall ſtill goe on in a hot purſuit, to have the ſame eſtabliſhed here, and Epiſcopacie extirpated: Then I ſhall conclude, that God hath doomed this Kingdome to ruine; and then I ſhall thinke, that it may truly be ſaid of this Nation, what the* Biſhop *of* Granata *ſaid of the Governours of* Leria *and* Patti, *That* they were ſilly men, who like to animals ſuffer any burthen to be throwne upon their backs, and themſelves to be governed by the opinion of others.

In the Preface to his late Booke againſt Perſecution for Conſcience.

Vide the Councell of Trent, p. 598.

Oh let not Opinion, but Truth ſway your judgements; be wiſe in time, and beware leſt that befall you which did the Horſe in the Fable: who ſuffered himſelfe to be bridled and ſadled,

sadled, and ever after became a drudge to his Rider; who promised him libertie and ease, yet thrust him into a nastie Stable, in stead of entertaining him in a Palace, according to his promise. Beleeve it, if you admit of the Presbyterian Government, *with the losse of Libertie and Religion, this disgraceefull* Motto *will be fastened to this Nation;* They being in honour, had no understanding, but became like the beasts that perish: *For assure your selves, when you have taken the* Scotch Bitt *into your mouthes, you will be as they are,* slaves to the Presbyterians. Psal. 49. 20.

This Caveat I held my selfe bound in Conscience to impart to my deare Countreymen, whose peace and happinesse, with the enjoyment of their ancient freedome, is the ayme of my endeavours, and ever shall be the subject of my Prayers.

Agrippæ apud Joseph. Vox.

Ἡ μὲν πεῖρα τῆς δουλείας χαλεπὴ, καὶ περὶ τοῦ μηδὲ ἄρξασθαι ταύτης ὁ ἀγὼν δίκαιος.

OF THE PAROCHIALL SESSION.

EVery Parish hath one or more Ministers: If more, all of them are equall in all honour and jurisdiction, onely the *Senior* hath the precedencie. To the Minister, or Ministers of each Parish, to make up a Session, in which is fixed the *Parochiall* Jurisdiction, a competent number of *Lay Elders*, (whom they call, *Presbyters non docentes*) and Deacons, proportionable to the precinct and extent of the *Parish*, are conjoyned: which associate body thus compacted, is the *Spirituall-Parochiall-Sanhedrim*. *First, Of the Session, how and of whom constituted.*

This Session sits once a weeke, or oftner, *pro re natâ*: In which *all Parochiall cases*, which concerne *externall Order and Censure*, are determined and ordered.

If there be but one Minister in the *Parish*, he is *constant Moderator*; If there be more, they moderate by turnes, either weekely, or monthly, as they agree. *The Minister is Moderator.*

Whatsoever thing is ordered, determined, or decreed, is done by the joynt-consents of the *Minister*, *Lay-Elders*, and *Deacons*, or by the pluralitie of voyces. The Minister, who is the Moderator, hath *no casting, no Negative Voice*. *He hath no Negative Voyce.*

The power of all Jurisdiction, is *radically* and *equally* in all: for binding, for loosing, for all censures Ecclesiasticall, for orders which concerne externall order and worship. So the *Power of the Keyes* is as much in the *Lay-Elders*, and Deacons, as in the Minister or Ministers. What sacrilegious intrusion upon sacred Orders this is, I need not informe one of your understanding. *The Jurisdiction spirituall is radically in the Lay-Elders.*

To make this frame good, they maintaine, that *Jure Divino* there be foure orders of Ecclesiasticall officers, (allowme to speake in this Epistle all along their dialect) or persons. First, *Preaching-Elders*, whom they call Ministers. Secondly, *Doctors*; these are professors in the Chaire, such as are in Universities. Thirdly, *Lay*, or *ruling-Elders*, who now have *vocem deliberativam & decisivam in* *Their foure sacred Orders.*

rebus,

rebus fidei, Cultûs, politiæ, and *in foro exteriori Ecclesiæ, in censuris Ecclesiasticis* are as much interessed and authorized, as *P*reaching-Elders. Fourthly, *Deacons*, who have trust of the meanes and monies destinated for pious and charitable uses.

This is very considerable too, that although they hold these four orders & offices necessary for the Government of Christ's Church, *de Jure divino*, by divine Right and Institution; yet neither the *P*arochiall Conclave, nor any *P*resbyteriall Consistory (except it be where the *P*resbyteriall seat is in a City where an Universitie is) have any Doctor or Doctors amongst them. Nay, which is more, nor be any such in their generall Assemblies; or if they be, they appeare onely in that capacitie, as Commissioners from, and for the Universitie.

This yeare they are sacred, the next yeare prophane.

It is worth your notice taking, that their Lay-Elders and Deacons are yearely elected. Here is truely verified of them, that, *Hodie Clericus, cras Laicus.*

The competent cases of this Session.

The things within the compasse of *Session-jurisdiction*, are, things meerly Parochiall, the ordering of the Parish-Church and peculiar Service, the censure of lesser Scandalls (I must speake their words) as Fornication, Drunkennesse, *S*colding, Profanation of the *S*abbath (they meane *the Lords day*) &c. Capitall *S*candalous crimes, or *S*candalls of Highest straine, are reserved as cases of peculiar jurisdiction for *the Presbytery*; as also lesser offences, when they are attended with *Obstinacy*, and what is censurable or punishable by the *greater Excommunication*. If I mistake not, they know not much, at least use not much the *Lesser Excommunication*. In the cases above mentioned, the Cognition, Examination, and Judgement of the Cause is proper to the *Presbytery*; the Minister with his *Parochiall Conclave*, are onely the *Executioners*. If any Parochiall difficult case occurre, which this *Parochiall Sanhedrim* cannot determine, the use is to consult with the *Presbytery*.

They enjoyne civill punishements and fines.

When the *Session* censureth any delinquent, or Scandalous person, they order his publique and solemne repentance (if by some superiour judicatory it be not determined) as they thinke fit, by pluralitie of voyces: after performance of which order, the penitent is received into the communion of the Church. But before the delinquent be admitted to doe his Repentance, he is fined in a *pecuniary mulct*, at their discretion, proportioned to the *demerit of the offence*, and the *ability of the Person*, as he is poorer or richer.

It

It is true, this mony is, for the most part, imployed to pious and charitable uses. As they punish by pecuniary fines, so *corporally* too, by imprisoning the persons of the Delinquents, using them disgracefully, carting them through Cities, making them stand in *Jogges*, as they call them, Pillaries, (which in the Country Churches are fixed to the two sides of the maine doore of the Parish-Church) cutting the halfe of their Haire, shaving their Beards, &c. and it is more then ordinary, by their *Originall* and *proper power*, to banish them out of the bounds and limits of the Parish, or Presbytery, as they list to order it. Is not this *potestas utrutsq; gladii?* And would not a good Learned Jurist say, that this is not onely intrusion upon *meerly civill power*, but upon the very Royall Rights themselves? The Imperiall Law, if I be not mistaken, maketh *banishment* so peculiar to the Soveraign Authoritie, that without its power and consent, it cannot be inflicted upon any *civis*, any Subject.

Their ordinary practice more in this [illegible]; that when a pecuniary mulct is inflicted, if the delinquent pay not the defined and determined summe, or at least give securitie for the payment of it, although he should testifie all the contrition is requisite, by humble confession, and offer most willingly to doe all penance, to give all satisfaction, he will not be admitted to satisfie publikely: nay, he is proceeded against for *Contumacy*, and they will threaten Excommunication.

They will not baptise the child, if either of the parents have not payed the fine, or satisfied the Church.

Nor is that to be passed by, that if a Child be borne *in Fornication*, and either of the parents hath not satisfied the Church; they will refuse to Baptise the poore infant, till the Church get satisfaction. This is consonant with Scripture, *anima quæ peccaverit, ipsa morietur*. It is fit now, in the next place, to speake of

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The Presbyterie.

VVHich is the next Judicatory, to which the Session is subordinate. It hath in it somewhere more, somewhere fewer Parish-Churches; as, some are made up of Twentie, some of Twelve, some of fewer.

All persons within these Parishes, within the precinct of this

Presbytery, of what qualitie soever (the King, or His Family herein are not exempted; nay, nor from the jurisdiction of His Parochiall Session) are under the power and jurisdiction of this *grand Consistory*.

The members constituents of the Presbytery.

The members Constituents of this Presbytery, are all the Parochiall Ministers within its compasse, and a Lay-Elder for each Parish. The Lay-Elders are in number equall to the Preaching-Elders; and in power, voyce, jurisdiction, in Heresie, Idolatry, Worship, Censure, &c. are *pari consortio honoris & potestatis prædits*, are so equall and uniform, that a Plough-man from the Plough, or a Trades-man from his Shop, sitting there in the capacitie of a Lay-Elder, his voyce is as good as the voyce of the most Reverend and Learned Divine, if any be there. They maintaine a paritie in all, onely a little difference in this, that a Lay-Elder cannot be Moderator: Yet have they no Canon for it. And we are able to prove by their bookes, that men who were never in Sacred Orders of Priest or Bishop, have beene Moderators, not onely of their Presbytery, but of their so much *Idolized Generall Assembly*. Master *Robert Poole*, who was never Priest, nor Deacon, onely Reader in Saint *Andrews*, was in one turne, for a yeare, or halfe a yeare, or some lasting time, Moderator of the Presbyterie of Saint *Andrews*; and Master *George Buchanan*, who was never Church-man, and Master *Andrew Melvil*, who had never the Order of Deacon, both of them have beene Moderators of their *great Generall Assembly*.

The cases proper to it.

The cases proper to this Judicatory, are first, such as are from every individuall Parish within its compasse referred, or presented. Secondly, All crimes and scandalls of highest straine, namely, such as are civilly punishiable by death. Thirdly, All crimes which come under the censure of Excommunication. Fourthly, All appeales from Sessions. Fifthly, All differences which cannot be composed or determined in the *Parochiall Conclave*. Sixthly, The visitation and censure of all what is amisse in every Parish, either in Preacher or other. Seventhly, The appoynting of Readers, and Schoole masters.

The time of meeting.

They meet once a weeke in some places, in other places onely once a fort-night. All the Ministers in their severall turnes, at their meeting *Exercise*, as they call it; that is, there is appoynted by the Presbytery, some one booke of old, or New Testament, which

which every one by turnes in his owne course interpreteth in the Parish Church, where the Presbytery doth meet. Two alwayes speake, the first from the Readers Deske or Pew; the other, in some other place distant from him, but convenient for hearing. The first Analyseth, Interpreteth, and taketh away the doubts of his Text; and (as they enjoyne) he is bound to the *doctorall part*. The second, when the first hath done, addeth to what is said; hath a warrant to supply the defects, or correct the errors of the first speaker; but especially, his charge is the *Pastorall part*, to apply the Text, and bring it home to the affections.

There be Ingredients in this *Exercise*, such as God's Church before this late age never knew, a kind of Creatures whom they call *Expectants*. These are students in Divinitie, or Country-Schoolemasters, or such youths who are bred with some *Gamaliel*; who after that they have given their private trialls, by Preaching and dispute, are enrolled *Expectants* of such, or such a Presbytery. These must keepe their turnes in Exercising, and adding (as they call it) with the actuall Ministers, (so they call them) and once admitted to that Presbytery, may, whensoever employed, Preach in any Parish Church within the bounds of that Presbytery, doe all *Ministeriall acts*, except Baptize, or give the Sacrament of the Lords Supper, (for ought I know, there is no Consecration used by them in that holy action, but a meere thanksgiving) nay, they may be constant helpers, and Co-preachers with a Rabby, if he, the Parish, and Presbytery agree to it. I pray you shew me where ever you read of such a prophanation, that a Lay-man without Orders, Imposition of hands, shall be a publique Preacher of God's Word, and intrude upon this Sacred Function. These, for the most part, were the *Beardlesse Boyes* King *James*, of blessed memory, mentioneth in the Conference at *Hampton Court*, *Who would brave him to his face*, pag. 4. *Lay-Preachers.*

Within one Countie there may be two, or three more or fewer Presbyteries, according as there be more or fewer Parish Churches; and yet all these Presbyteries are independant one from another: onely it is remarkable, that the Presbytery of *Edenburgh*, because (as they speake) *it is seated on the Watch-Tower* hath well-nigh obtained by custome, and other meanes a *Super-intending power* over all other Presbyteries; and other Presbyteries many times send thither, to have resolution of their difficult cases. The reason is, be-

sides the eminency of this Citie by its wealth, and the residence of all highest Courts of Justice there; although this Allobrogicall brood maintaine Paritie, there be notwithstanding some few Patriarchs, who rule and over-rule all, *who Lord it, and Pope it* over the Lord's Inheritance, and in this Citie ordinarily are some of these Patriarchs: and the *Responsa prudentum* from hence, are received as Oracles by remote Presbyteries, and reverenced as answers by *Urim* and *Thummim*.

There is none who liveth within the verge of a Presbytery, but is answerable to this *Classis* and *Judicatory*, and must appeare whensoever, or for whatsoever cited. The King and his Family are not exempted, nor priviledged: if He be cited, & appeare not, He may be excommunicated for His disobedience & contumacy: If He appear, He must submit His earthly Scepter to that their Scepter, which they tearme the Scepter of Christ; He must doe what is enjoyned. The Presbytery is independent from the Crown of an *earthly King*, who is *Gods and Christs Vice-gerent in the generall Kingdome* of His providence only; but this *Sanhedrim* is *Christs Vice-gerent* in His œconomicall Kingdome, as Mediator, as they speak; and consequently, to it He must vaile His Crowne, submit His Scepter, and from it receive Christs Law and Ordinances.

King *James* of blessed memory knew this well, who therefore in that Conference at *Hampton-Court*, pag. 79. saith, "*A Scottish* "*Presbytery as well agreeth with a Monarchy, as God and the Di-*"*vell, then* Jack *and* Thom, *and* Will, *and* Dick, *shall meet, and at* "*their pleasures censure Me, and my Councell, and all My proceedings.* "*Then* Will *shall stand up and say, it must be thus: Then* Dick *shall* "*reply, and say,* Nay marry, *but we will have it thus. And there-*"*fore here I must once reiterate my former speeches* (the King is answering to D. *Rainolds*, who seemeth to beg of His Majestie a Presbytery, or something like to it) "*Le Roy s'aviséra: Stay I* "*pray you for one seven yeares, before you demand that of me: and if* "*you then find me pursey and fat, and my Wind-pipes stuffed, I will* "*perhaps hearken to you: for let that Government be once up, I am* "*sure I shall be kept in breath, then shall we all of us have worke e-*"*nough, both our hands full. But* D. Rainolds, *till you find that I* "*grow Lazie, let that alone.*

It is more then notoriously knowne to many yet living, and is upon Record in the Presbytery Bookes of *Edenburgh*, how King

James,

James, not once, but many times, hath ſent men of Honour & good qualitie, demanding, or rather requeſting for ſome things at their hands; who have heard the Commiſſioners propoſe the Kings mind; But they, to keepe the power and place Chriſt hath given them in that dignitie, ſutable to ſo high a truſt, have diſmiſſed the Gentlemen ſent by the King without anſwer, and by an Order of that *Spirituall Houſe*, have appoynted one, or two, as *Commiſſioners of the Presbytery*, to goe to the King with *their will and pleaſure*, loſing nothing of *Chriſt's authoritie*, and carrying themſelves with the King almoſt, as if two free Eſtates, or two free Kings had met, and were dealing together. *The Presbytery hath kept ſtate with King James.*

As no perſon is exempted from obedience and ſubmiſſion to this power, ſo no crime or ſinne whatſoever *committed*, or *ſuſpected* to be committed, within the Seignory of this pettie Principality: And that ſometimes is ſo extravagantly and tranſcendently too look't after, and called in queſtion, (eſpecially if indiſcreet zeale, or holy Spleene worke and move by the Spirit on a holy Brother) that if there be a fact and fault committed, ſecret, or knowne to very few, it is brought forth to the light of the World: There is no care taken to reconcile the Lapſed to God in a private way, and to conceale his offence, but diſgraced he is publiquely. What ſound repentance this may worke, judge you? How conſonant this is to the Apoſtolicall Canon, *They that ſinne publiquely, rebuke publiquely*; and to the common Maxime of the Church, *De occultis non judicat Eccleſia*; he may eaſily ſee, who hath not divorced himſelfe from common ſenſe and reaſon? To cure theſe ſecret ſinnes by the power of the Keyes *in interiori foro conſcientiæ*, and to cover them with the mantle of Charitie, ſmelleth rankly of auricular Confeſſion, Popiſh abſolution, and *Sigillum confeſſionis*. See the Conference at *Hampton Court*, pag. 93. It is certaine, a fooliſh man revealing fooliſhly his faults to his wife, the zealous wife, upon ſome quarrelling betwixt her and her husband, hath gone to a good Miniſter, revealed what was told her, and the honeſt impartiall Miniſter hath convented the man, charged him with his ſinne, and made him confeſſe, ſatisfie, and doe penance publiquely. *All Caſes and Crimes are within the cenſure of the Presbytery.*

Nay, upon a ſurmiſe, ſuggeſtion, ſuſpition, or any miſ-information, if the Miniſter, or Lay-Elder delate, (that is preſent) two perſons to converſe ſo familiarly, that it is to be feared that they are guiltie of fornication, if they be unmarried; or of adultery, if both *Crimes ſuſpected, are curiouſly here inquired after.*

both of them, or either of them be married; they ſhall be cited, and convented, examined by all proofes, preſumptions, interrogatories, &c. whether or not they have ſinned. If that the preſumptions be pregnant, although no proofe be, they ſhall be put in cloſe priſon, feed on bread and water, kept that none may come at them, all Members Conſtituents of theſe Judicatories, appoynted to try what they know againſt the *next Court day*; when no proofe can be had, and all the preſumptions doe not faſten guiltineſſe upon the accuſed, and the Imprisonment and other hard uſages cannot extort a confeſſion, they are diſmiſſed: But an act is enacted, that if thoſe two perſons, ſuſpected of fornication, or adultery, ſhall be ſeene to meet, or be in company together, except they meet in Church or Market, it ſhall be holden *pro confeſſo*, as confeſſed, that they are guiltie of what they are charged with.

Nay, ſometimes the parties, although innocent, and no reall evidence being produced againſt them, are brought on the Lord's Day publiquely to the middle of the Church before the Pulpit, to declare, ſometimes to confirme their Declaration by an Oath, that they are innocent & free of that crime wherwith they are charged. And ſometimes they are forced to make their publique Repentance in the Church, upon a Pillary, for their unchriſtian behaviour: becauſe that although the parties charged be free, yet their converſation hath beene *ſuſpitious and ſcandalous*.

A whole Volume might be written of young women, by theſe courſes diſgraced and defamed: of many Families divided and ſcattered, whereas before there was no jealouſie betwixt the man and the wife.

This Judicatory of the Presbytery is ſo high and of ſo vaſt a latitude, that as the *Pope* bringeth in all civill cauſes to himſelfe as a competent Judge, *ſub formalitate peccati*, ſo this *Papall Conclave* bringeth any thing, how ſoever meerly and purely civill, under it's laſh, *ſub formalitate ſcandali*, as ſcandalous to a Chriſtian profeſſion.

Presbyteriall Government inconſiſtent with the liberty of Trade and Commerce.

It is not forgotten by many yet living, how the Presbytery of *Edenburgh* attempted to cenſure Eccleſiaſtically the Merchants there, for carrying Wheat to *Spaine* in time of a Famine or dearth there, for this was to feed and maintaine God's enemies. But above all, that was a *piaculum*, an almoſt inexpiable ſinne, to tranſport Wax to *Spaine*, for this was to be acceſſory to Idolatry, in reſpect

spect the greatest part of this Wax was employed in making Tapers and Candles to the *Virgin Mary*, and *other Saints*.

Inconsistent with the authoritie of civill Judicatories.

In Saint *Andrews*, *J. T.* was endebted to *P. T.* a considerable summe of money, the greatest part of his stock. *I. T.* delaying, or shuffling, or not able to pay *P. T.* at the day of payment designed in the Bond, *P. T.* obtained before the Lords of Session a Judgement against *I. T.* with power to demand payment in the Kings Name, and upon disobedience to be out-lawed and fall into a *Præmunire*, or escheating of his moveable goods & Chattels. *I. T.* bemoanes himselfe to the Presbyterie: The Presbyterie convents *P. T.* before them, threatens him with Excommunication, if he did persist to put in Execution the Judgement of the highest Judicatorie in the Kingdome: and for feare of this dreadfull Court and horrid sentence, he passes from his pursuit, continueth the demanding of re-paying of his money. You see here what power this Presbyterie hath over all, and the highest of civill Judicatories.

The Presbythie at pleasure repealeth Royall Grants by Law confirmed.

Infinite instances of this kind may be produced; give me leave to adde one of a higher straine. The Citie of *Edenburgh*, by the Kings of *Scotland*, amongst other favours and priviledges, hath a Royall grant of a weekly Market day on Monday: This Grant is confirmed by Letters Patents under the great Seale, and by the standing Lawes of the Kingdome; the Presbyterie here, by their transcendent sole authoritie, discharged any Market to be kept on Monday: the reason was, because it occasioned the travelling of men and horse the Lords Day before, which prophaned the Sabboth: If the Tradesmen, who found at home what losse they had by wanting their Market, had not with force and violence opposed their Soveraigntie, and made them forsake it, it was like enough to have passed, and obtained longer.

The most active in this case, were the Shooe-makers, who were most prejudiced by the discharge of the Monday-Market. They threatned the Ministerie Right downe, That if they persisted in that course, they would thrust them out of the Gates of the Citie: which threats restored the Mondayes-Market. When King *James*, that miracle of Pietie, Learning, and Royall prudence, heard of this, he with uncovered head, & lifted up hands, said to this, or much about this sense, *I thanke God the Shooe-makers have more power to represse the insolencie and violence of the Presbyterie, then I and my Councell both.*

The Presbyterie will not suffer Land-lords to sue for their Rents.

It is known to many yet living, that they have cited before them Noblemen, and Gentlemen of good qualitie, who had intended Civill Actions against their owne Tenants before the ordinarie Judge, and discharged them to prosecute them any further, under the paine of Ecclesiasticall censures. This was *in re civili*, in a civill businesse, but *modus considerandi*, as they tooke notice of it, it was *spirituall*. And why? because the holy Brethren pretended this did with-draw people from their *lawfull vocations, bred strifes* and contention amongst Brethren, and did hinder the progresse of the Gospel.

Some few of the Presbyterie tyrannize over the rest of their poore Brethren, remove and transplant at pleasure.

As the particular Ministers of individuall Parishes are under them, so they find the tyrannie of their *Archisynagogi*, their prime leading Ministers, in that measure, that their little finger is heavier then a Bishop's whole hand and loynes. Bishops are like to a Paternall Government, chastising with Rods; but the Presbyterians scourge them with Scorpions: any Lord, Knight, or Esquire, who is cunning, and can by faire carriage or otherwise, gaine favour or credit with some few *Patriarchall Presbyters*, he is able at pleasure to turne out an honest man (who perhaps is too free in rebuking the Gentleman for his sinnes, or cannot, or will not condescend to grant his unlawfull and unjust demands) and to bring in one to his owne fancie and humour, with whom, and by whom, he is able to worke and effectuate his owne bad intendments. This *holy Sanhedrim*, although the Parochiall Minister for *Intellectuall abilities*, be sufficiently enabled, and for *Morall Integritie* be blamelesse; yet they will find it fit he be transplanted from that Church, because the Congregation is not edified by him: at a Visitation, the Landlord is able to make all say, and witnesse, they are not edified by him: or if a Presbyter, who hath more power with the *dominus Moderator*, and his assistants, being in a Parish of a small stipend, and espying somewhere a better Parish, and an honest man in it, but not so much respected by the High-Priests of the *Sanhedrim*, he will turne him out by the Presbyterie, enter the Charge, and reape the benefit of a better Parish, and place the other (it may be, and often proves so, the better and worthier man) in another Parish of lesse worth, & deterior his condition. There needs no other reason for this, but that this sacred Consistorie, directed and assisted with infallibilitie, doe finde it *è Re Ecclesiæ*, that it is for God's glory, and the good of the Church.

I might

I might instance a world of these Examples; only let me tell you one, of the Presbyterie of *Cooper in Fife*. A Noble-man there having one M. *Weymis*, an honest man, a Preacher and Parson at one of the Churches, the which whole Parish belonged to the Noble-man, used all the entreaties, all the threatnings he could, to perswade M. *Weymis* to make over to him, and his House, the Right of the Benefice, which if I mistake not, was a Parsonage. The good man refused it: the Noble-man finding the man immoveable, having prepared the way with the *Ring-leaders*, accuseth the honest man before the Presbyterie, obtaineth sentence of removing M. *Weymis* from that Church and Benefice, and bringeth in one M. *Scrogie*, who with the consent of the Presbyterie, sacrilegiously made over the Right of the Church to the Noble-man and his Family. M. *Weymis* was transplanted to another Church. The Right made over by *Scrogie*, was afterwards confirmed by Act of Parliament. K. *James*, when this Noble-man came to him, spoke to him to this sense: My Lord, I wonder how you have so much power with the Presbyterie to obtaine such a thing, and worke so strange a matter; I pray you teach me the way, for I would gladly know it. The Noble-man answered, to this sense, or much about it; Sir, you take not the right way: I prepared my businesse, by gaining the prime men to my course, I sent to *A. B's* house so much Mault, and to *C. D's* house so much Meale, to *N.* a Carcasse of Beefe; this got me the power to put away *Weymis*, to bring in *Scrogie*, and from him, with the consent of the Presbyterie, to have the right of the Parsonage impropriate to me and my House: Sir, this course you must take, if you would worke any thing by, or with these men.

An honest man removed from his place, and one by them brought in, to make away sacrilegiously the Church-Patrimonie.

The Testament of a Gentleman of Wit, and more then ordinary worth and esteem, is to this day extant, (although he he dyed many yeares agoe) wherein confessing his many sinnes (he was much guiltie of uncleanesse, and was of more then ordinarie reach in Politicall and subtile Wayes) abhorring himselfe for them, and earnestly begging pardon, professed, and protested, That no Sinne did wound his Conscience so much, as his deepe Hypocrisie; who, without the true feare of GOD, made great shew of Religion, where none, or little was: and, to cover his sinnes from the World, to hide his shame, and the better to effectuate his private Designes, he made much of some few prime leading Ministers; by doing of which, hee was

not challenged for his ſinnes; and was enabled to worke his other ends. This hath beene, and is this day a conſtant courſe kept by all of that Cut and Coat.

The Presbytery the Seminary and nurſery of Feuds.

It is known, that no Kingdome of the Kings was ſo much infeſted with Feuds, (as they call them) as that of *Scotland*: nor was there any thing more ordinary, then Neighbourly Feuds in Pariſhes, to be fought, to the effuſion of much blood, partly beginning ſometimes within the Church, and ended in the Church-yard, where many times ſome were killed: And it was as ordinary, to find each Presbyterie divided in their affection and courſe, according as they affected the one, or the other partie. Nor was *Scotland* ever free of Feuds, ſheathing their Swords in their Neighbours bowells, murthering one another, till a little before King *Iames* came into *England*; nor did ever that Kingdome enjoy ſuch Peace and Plentie, as during the time of Epiſcopacie.

Sir, by the few inſtances I have given you of many, you may ſee clearely, that Presbyterian Government is not onely inconſiſtent with Monarchie, but deſtructive of the Libertie of the Subjects perſon, and Trade; encroaching upon all authoritie, Soveraigne, and Delegate; reſtraining at pleaſure, Cauſes and Suits commenced before Judges; forbidding Execution of Judgements, obtained before the ordinary Judges; repealing Grants, Letters-Patents, Rights and Priviledges authorized by Law: aſſuming to it ſelfe the Civill power, exacting Civill fines, pecuniary mulcts, inflicting corporall puniſhments, painfull and diſgracefull; defaming young, diſgracing married perſons; and in briefe, is againſt the Peace of the Kingdome, of Families and Neighbours. And for their Clergie or fellow-Presbyters, they tyrannize over their Conſcience, depoſe, or tranſplant them at pleaſure, for reaſons knowne to ſome few of the more active. It is proper now to ſpeake next of

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Provinciall Synods.

IN deſcribing of which, we need not to inſiſt much: for except that the Juriſdiction is of greater extent and latitude, yet in its eſſentialls, conſtitution, and power, with the exerciſe of it, it is the very ſame.

A Provinciall Synod is the apiſh imitation of a Provinciall Councell, conſiſting of a Metropolitan, and the Suffragan Biſhops of his Province: With them it is an aſſociate body of the Commiſſioners choſen out of all the Individuall Presbyteries within the precinct of the Province. How many there be of them in the Kingdome of *Scotland* at this inſtant, I know not: but the Kingdome is divided into ſo many Provinces, as they in their prudence thinke it fitteſt for the Government of the Church. *What it is.*

If I remember right, by their *plat-forme of Diſcipline*, theſe Provinciall Synods are to meet twice a yeare, or oftner, *pro re natâ*.

Theſe Synodall Aſſemblies have a *ſuper-intending* and over-ruling power over all the Presbyteries within the limits of that Province. *The extent of their power.*

The caſes proper to theſe Courts are: Firſt, All matters which doe appertaine to the whole Province: Secondly, All Referres from all Presbyteries within its Verge: Thirdly, All caſes of every ſeverall Presbyterie, which were difficult, and could not there be determined: Fourthly, The due cenſure of all what is thought to be done amiſſe in any Presbyterie, within its laſh: Fifthly, What is ordered and decreed in thoſe Provinciall Synods, tyeth all within the particular Presbyteries and Pariſhes, as well Lay as Clergy-men, to obedience. Any Presbyterie elſe, that moveth without the ſpheare of this Province, is not tyed to obey what this decrees, by vertue of any authoritie flowing from it. *The caſes which fall within their Juriſdiction.*

The ſame courſe is holden in all things in the *Provinciall Sanhedrim*, which is kept in the Presbyteriall Conſiſtorie, ſo that I need not trouble you by reſuming and repeating the like: onely here is ſome peece and uſe of good *Policie*, which is this; In a Province there may be ſome foure, or five, or ſix, or more knowing leading-Miniſters, who over-rule different and diſtant *Presbyteries*, and ſo cannot formally and fairely joyne their wits and power to compaſſe their common and private ends. The meeting of this *Provinciall* Synod occaſioneth the meeting of theſe leading men in the ſame place; who after that they have communicated Counſells, and agreed upon the courſe, they are able to draw their brethren, their pupils of their Faction, as *Servum pecus*, ſlaviſhly, yet *with much Zeale*, to diſpute, debate, and voyce for what they in their wiſedome thinke fit for their owne ends: which courſe layd downe, *The politique ſtratagem of the great Gamaliels.*

will be so prevalent, that if it be against King, Country, Preacher, or Lay-men, in that concerneth the publike, or any private mans interest, to whom they stand engaged, it is to as little purpose to some good men to oppose, or moderate this course, as to a man for stop a current of a flood, after a great inundation of raine, with his foot.

There is another trick of policie too, whereby the *Apostles* of this Province advance their owne credit; that the wisest of the Nobilitie and Gentrie see who are the active and doing men, and having their particular interest many times, both in the publique, and their owne private, they make their addresse to these Popes, gaine them to their course, and strengthen themselves by the Spirituall Sword to disturbe the publique, or to gaine their private ends, whether right or wrong. When the Commissioners from hence returne to their severall Presbyteries, they intimate to them, to command the particular Ministers to Preach in their Parishes Doctrine tending to the advancement of those designes: and this is so much obeyed, that the Minister of the Kings Family, or Parish, must sing the same song, although it concerne the King in His Honour, or in that is most deare to him, and be to the prejudice of His Person, Soveraignty and Government.

The great honour which is given to the Patriarchall Presbyters.

These ἀρχαγοὶ, these *prime men of God*, are attended and honoured so by the subtile and cunning Nobles and Gentlemen, that they are well-nigh deified; in their comming to and fro, to Assemblies, Presbyteries, or upon other occasions, the most eminent of the Province wait upon them, entreat them to come to their Houses, set them at the head of the Tables by my Lady, provide for them the best chambers. And that you may know, howsoever they pretend Paritie, that it is *protestatio contra factum*, never Bishop in *Scotland* hath come into Cities with such Convoyes, been attended with such great personages, as some of this holy Brother-hood. It is to this day remembred, that when Master *Robert Bruce* came from his Visitation in the West or South, returning to *Edenburgh*, and entring by the Canon-gate, King *James* looking out at His Window in His Palace at *Halyrude-House*, with indignation, (which extorted from him an Oath) said, "Master *Robert Bruce* "*I am sure intends to be King, and declare himselfe heire to King Ro-*"*bert the Bruce.*

If you would allow me upon this to digresse, I beg to be bold to tel you a true story, and the most insolent I beleeve, you ever read or heard.

heard. When Q. *Elizabeth* was waxed old, K. *James* bethinking how to come at the peaceable possession of that Right, God and nature had entitled him to after her death; and resolving to recall and pardon the Earles of *Angus*, *Huntlie*, and *Arroll*, (who at that time were banished and beyond Seas) feared, if by himselfe, and his Soveraigntie, he should doe it, because they were professed Papists, he feared the Church would except against it, and move his Subjects to Sedition and Rebellion; yet the Noblemen were most able to strengthen him, and doe him best service in the Kingdome. To prevent this mischiefe, he sent one of his trusted and worthy Courtiers to M. *Robert Bruce*, one of the Ministers of *Edenburgh*, who at that time had great sway in the Church, desiring him to come to His Majestie about some businesse of high concernment. M. *Robert* did come. The good admirable King, welcommed him more then courteously, took him into His Retiring or Bed-Chamber; spoke powerfully to this sense: M. *Robert*, I have sent for you to have your advice in a businesse of great weight concerning the Peace of *Scotland* and *England*, and which concernes me in Right and Honour most nearly. Q. *Elizabeth*, my Sister and Cousin, is sick and cannot live long, you know I have God's and Nature's Right to that Crown; I cannot loose it in Honour or in Justice, and yet my prayer to God is, that I may come at my Right without any blood. I know there is some Faction in *England* against me, but my friends are more prevalent there. It concerneth me, in the poynt of Prudence, to provide that there be no Faction and division in this my Kingdom of *Scotland*, for if this Kingdom be all one way for me in heartie obedience and subjection, the dis-affected partie in *England* will be better advised, then to worke me trouble to their great disadvantage. Now, saith the best and wisest of Kings, I feare nothing, but that these three Noble men beyond Seas, because of their forfeiture, may be wrought upon by Papists, encouraged and enabled by them there, and the English Papists, who are most against my comming to the Crown of *England*, knowing I am a sound Protestant, to come hither and trouble Me and the Peace of this Kingdome. Doe you not thinke it fit, that I give them a pardon, restore them to their Honour and Lands, and by so doing, so gain them, that thus I may save the effusion of Christian blood? To this demand so piously made, the answer was; Sir, you may pardon *Angus* and *Arroll*, and recall them, but it is not fit, nor will you ever

The presumptuous carriage of M. R. Bruce toward K. James

ever obtaine my consent to pardon or recall *Huntlie*. To this the most gracious King sweetly replyed: Master *Robert*, It were better for me to pardon and recall him, and not the other two, then the other two without him. First, because you know he hath a greater command, and is more powerfull then both of them. Secondly, Next, you know I am more assured of his affection to me, for he hath married my deare and neare Kinswoman, the Duke of *Lenox* his Sister. His rejoyner was; Sir, I cannot agree to it. The King out of the great depth of His wisedom and prudence, and His transcendent goodnesse, concluded thus; Master *Robert*, I have imparted my most secret thoughts to you first before any, and to you onely; I am so confident of your zeale and good affection to Me and My Honour, that I entreat you to thinke upon this matter a day or two; and after your better thoughts and *Prayers*, returne to me, and tell me clearely what you thinke. Thus was he dismissed, with as much respect as the King could give to any of His highest Subjects. The truth is, at this time this man had more power in *Edenburgh* then the King; and his credit there had a mighty influence upon all His Sect, and many in the Kingdome: within a day or two he returnes to his Majestie; yet, if I be informed right, not till he was called upon. When he entred the Kings *Presence*-Chamber, the King tooke him into a secret retiring roome as before, made the doore be shut, and speaketh to this sense: Now Master *Robert*, I hope you have thought more seriously upon that weightie businesse I proposed to you the last day, and have prayed God to direct you and Me both, tell me then, what you thinke of my purpose and resolution concerning those three Noble-men? He returneth this answer; Sir, the more I thinke of it, the more I am confirmed in the advice I gave to you the last day. I agree with all my heart, that you recall *Angus* and *Arroll*, but for *Huntlie* it cannot be. The King resumed and repeated his reasons before mentioned, and added some more. He obstinately opposed and contradicted it. All doe know, who knew any thing of these times, that *Angus* and *Arroll* were as bigot *Papists*, if not more, then *Huntlie*; there was no difference in Religion: the truth is, Master *Bruce* was a Lover of the Earle of *Argyle*, who loved not much the Earle of *Huntlie*. This was the Spirit inspired him, as it seemeth. King *James* desired his reasons: he gave none, but spoke majestically. Then the King told him downe-right, Master *Robert*, I have told

told you my purpose; you see how nearely and highly it concerneth me: I have given you my reasons for my resolution, you give me your opinion, but you strengthen it not with reason; wherefore I will hold my owne resolution, and doe as I first spoke to you. To the which, with Christian and Subject-like reverence, he returned this reply; well, Sir, you may doe as you list, but chuse you, *yee shall not have me and the Earle of* Huntlie *both for you.* Sir, Judge by this in what case Monarchie is, in such a Government; for that this is truth, I am as much assured of, as morall certaintie can assure any man of morall truth, which with his owne eares hee hath not heard. And yet this man was but Minister of *Edenburgh.*

To returne thither, from whence we digressed, that you may know, that this great Honour which is done to those great ones, the Cabinet-Councell of all Provinciall and Generall Assemblies, by these cunning and subtile Nobles and others, is not done in the *name of a Disciple, in the name of a Prophet*; reflect a little with your eyes, and consider how the same men respect and entertaine their own Parish-Minister; when the *Gamaliels* sits *by my Lady*, the Parish-Priest will be below the Candlestick; and will be forced to come to his Lord, or *Laird*, and *Crouch* downe for *a morsell of Bread, and small peece of Money.* Nay, before the *Gamaliel* be gone, he must prompt and Catechise the poore stipendiarie, how to carry himselfe with the Lord and *Laird*; not to exact too rigorously what is due in his *competent Stipend*, nor in Preaching, Doctrine, or Discipline, to offend the Lord or *Laird*: such good Christians, such *Jehoshua's, Nehemia's*, and *Esdras's*, are to be much made of for the Cause of God: I dare to say, never Bishop or Arch-Bishop in *England* or *Scotland*, hath used more authority, nor did ever carry themselves so arrogantly towards the meanest of their Clergie, as these men doe over their simpler brethren. I come now at last to

The Countrey honour not these Apostles in the name of a Disciple, as it appeareth by the disrespect all the Ministers have from their Parishioners.

The Generall Assemblie.

THis is the *Great and High Sanhedrim*; the *last resolution* of faith is almost in this associate Body. Here Christ sits in the Highest glory and Dignitie he can upon earth. Here is the *ultimate decision* of all controversies. Here you may find really that fancied infalli-

The prerogative of this Court.

bilitie of the Pope. The Juriſdiction in this is univerſall, in all concerneth *Eccleſiaſtica, Eccleſiaſticos,* and what concerneth all *Temporalia in ordine ad Spiritualia.*

The independent Soveraignitie of it.

The authoritie of it is ſoveraigne, independant from any, derived to them by truſt immediately from Chriſt; to him alone they are accountable. Whoſoever obeyeth not this Soveraigntie, is to be Excommunicate; the Magiſtrate is at their Command, and as they preſcribe, to puniſh in Eſtate, in Body, in Life and Death: If the King obey not, He is to be Excommunicated; and to ſtrengthen this, the Nobilitie, Gentrie, Collective Bodie, nay, every individuall perſon is to concurre, to compell and cenſure him to the utmoſt of his power, to puniſh, to dethrone, to un-King, to kill, &c. Let us come and ſee how this goodly Judicatorie is made up.

Of whom, and how it is compoſed.

It is compoſed, Firſt, of the Commiſſioners ſent from all the Presbyteries of the Kingdome: which (as I heare and am informed) is thus ordered; every Presbyterie ſendeth out two Preaching-Elders, and a Lay-Elder: by this it ſeemeth, that the Clergie hath the advantage.

Secondly, therefore conſider, that beſides the Commiſſioners from Presbyteries, there commeth from every Burrow and Corporation one Commiſſioner; and *Edenburgh*, for ſome ſpirituall prerogative no doubt, is honoured and priviledged to ſend two.

Thirdly, the Univerſities and Colledges ſend their Commiſſioners, which for the moſt part are not Doctors nor Miniſters, but Lay-men and Graduates in Liberall Arts and Sciences. This will goe neere to equall the number of Lay-Commiſſioners to that of Preaching-Miniſters.

How the King is a member of it, and of no power above the meaneſt Ruling-Elder.

Fourthly, the King is a member conſtituent too, and ſhould be there either *perſonally* by himſelfe, or *virtually* and *repreſentatively*, in, or by his Commiſſioner: He hath one voyce too, and that *affirmative* onely. In what Capacitie they admit the King to be a member conſtituent of this Spirituall Court, I know not well, if they be agreed upon it. Some hold, that he is there as *Princeps membrum*; by this I ſee he is the firſt Gentleman there, and it may be, hath the right hand too: Some ſay, as a Repreſentative of the Civill Body of the Kingdome, and ſits there in that capacitie: All of them agree in this, that he is bound by his owne preſence, or Commiſſioners, to ſee and provide, that no diſturbance or violence be offered.

The

The King, if present, and His Commissioner, if absent, have so much honour indulged to him, that He or His Commissioner may have foure, five, or six *Assistants* for advice; but these Synodicall Fathers give their indulgences with such circumspect prudence, that to preserve Christ's honour and their owne entire, the King or His Commissioner may debate and advise with His Councell, or Assistants, or desire any of them to speak, while matters are in *debating*; but when it commeth to the decision and determination by voyces, and pluralitie of voyces maketh the Decree, the King has *onely one Voyce*, and that *Affirmative* onely, not *Negative*.

The King must execute their Commands, although they be against his Conscience.

By this it is certaine, that if the greater part of voyces determine contrarie to the King's voyce, nay, to His mind and Conscience, He is bound to put it in execution: for *Potestas Juris* is radically in the whole Assembly; the King hath no more but *Potestatem Facti*, to be an executioner *Rei Judicatæ*, of the Decrees; otherwise, He is censurable: and if He be obstinately refractorie, He is not worthy to hold His Crowne.

The King presides too, as they confesse; but so, that it is onely civilly, and in His civill capacitie.

If I be not mistaken, yet I dare not avouch this confidently, the King hath not power to propose any thing Spirituall, or that concerneth the Church; but if He doe it, it must be done by the Right Father of the Assembly, the *Moderator*. This I dare to say, that neither the King nor his Commissioner can hinder or oppose the proposing of any thing they thinke concerneth the Kingdome of Jesus Christ: for this were no *free generall Assembly*, and to limit the *holy one of Israel*. Nay, if the thing proposed, conceived by them to be Spirituall, be so twisted with the things Civill, that the ordering or establishing of it may carry along with it a change and distemper in the State and Government, or import danger to the King and Crowne; the *Moderator*, or any Commissioner, hath power to propose it, determine it, and never to consider or reflect upon the danger of King, State, or Kingdome, and that for God and Christ's glory.

The proper Moderator, is a Preacher.

The proper, naturall, and right *President* of this Seraphicall Judicatorie, is one of the Preaching-Elders (although wee observed before, how Lay-men, as *Buchanan*, *Melvil*, *Bruce*, have beene *Moderators*) a Lay-Elder now cannot be *Moderator*.

Here is the Legislative power, here is the Soveraigntie of Christs Kingdome, here is the highest Tribunall and Judicatorie of Christ upon the Earth, from which no person, no office, no condition of creature is priviledged; from it lyeth no appeale.

They indict the Assemblie by their owne power.

The King hath no power to appoynt the time or place of this Assembly, but once a yeare it must necessarily meet. And at the close of every Assembly, the Present appoynteth the day and place for the next. If any great Exigencie really, or in their fancie intervening, requireth the meeting of a Generall Assembly before the time determined, the Commissioners from the Assembly are to make remonstrance of it unto the King.

The vast power of this Court.

Whatsoever power the Pope unjustly usurpeth, the Catholick Church, or *her virtuall and Representative*, an œcumenical Councell, justly challengeth; this generall Assembly vindicateth to it self, only *Authoritative*, *by way of authoritie*, within the Church of the Kingdome and Nation; yet *Consensivè*, and *Charitativè*, to extend to all Neighbour-Churches in the World, what-ever it be that concerneth, *fidem, cultum, Regimen, &c. credenda, agenda.*

And yet if this infallible Supreame Judicatorie would reserve to it selfe that jurisdiction is due to men in Sacred Orders, and which intrinsecally, radically, and originally is in them *ex vi ordinis*, although Presbyters intrude upon higher Callings, and they place all Ecclesiasticall power, at least communicate it to Lay-people, the Princes condition were tolerable: Nay, if they did onely trench upon what is due to Soveraigntie, and with which he is invested from God Almightie, which is restrained, *ad Externum hominem*, and *Externum Regimen*, although Soveraigntie by it be brought into straiter and narrower bounds, a King might be in some poor condition, although Robbed of His Right. But when they come to this, that *in ordine ad spiritualia*, in order to spirituall things, they will give the King Lawes, repeale His Lawes, command and expect performance and obedience, otherwise Excommunicate, and if a King neglect that Excommunication, incite inferiour Magistrates, Nobles, and Commons, to bring Him in order, to compell and force Him; He is in a worse condition under this Soveraignitie, then under the Pope, by how much it is worse to a King to be subjected to an untamed furious Beast, the multitude, then to the tyranny of one.

All

All these Lay-Elders, all these Commissioners from Corporations and Burrowes, are *de jure divino*, as fully Judges in all matters of Faith, Worship, Government; Judges of Heresie, Idolatrie, Superstition, of the highest poynts of Orthodox and Catholick mysteries, of the grossest and subtilliest Heresies, *Arianisme*, *Arminianisme*, *Macedonianisme*, *Montanisme*, *Socianisme*, *Anabaptisme*, *&c.* as any man in Sacred Orders there, have *vocem deliberativam*, *vocem decisivam*, have a debating, discussive voyce, and concurre as much with the influence of their voyce, to prescribe and give us *Normam fidei*, *cultûs*, *politiæ*, a confession of Faith, a prescript for Worship, Canons for Government and Discipline, as ever Bishops had in lawfull Christian Councells: Bishops, limbs and members of Antichrist, are no part of it. Now is forgotten that of the Councel of *Chalcedon*, *Concilium Episcoporum est*; and that old Barbarous, but Christian enough verse,

Lay men Judges in highest poynts of Faith and worship, &c.

Ite foras Laici, non est vobis locus jci.

I would gladly aske of one of these Rabbies, and great Masters in *Israel*, how commeth it that the Commissioners of *Burrowes* sit there, voyce there? are they too *de jure divino*, by divine right? If they answer, that such are chosen as are, or have beene Lay-Elders; I rejoyne: the Lay-Elders come in that capacitie onely, as Commissioners of the particular Presbyteries: These are not members Constituents of the Presbyterie in that capacitie, that they are, or have beene Lay-Elders, but have right and interest in this high Court in that *capacitie* meerely, as Commissioners of Burrowes. Looke upon their acts of generall Assembly, and you will find, that it authorizes Commissioners from Burrowes to be parts Constituent of this Judicatorie, *quâ tales*, as sent from the Burrowes.

Commissioners of Burrowes are there onely in a Lay-capacitie.

Againe, I aske, seeing you make Doctors one of your foure holy Functions Ecclesiasticall, constituted by Christ; in what Judicatorie find we them? In Sessions they are not; In few Presbyteries they be; and if there, in some other capacitie. In Generall Assemblies if any be, they appeare as Commissioners from the Universitie, in this capacitie onely. And many times it is seene, that Professors of Philosophie have beene Commissioners of Colledges in Generall Assemblies.

We find Doctors no where.

The power which this Sanhedrim assumeth to it selfe.

Leaving these absurdities, which are monstrously grosse, I come to consider next, what is the Soveraigne power of this high *Sanhedrim*. If they would, in Christian moderation, assume no more to themselves but onely a *Directive Power*, and by humble Remonstrances and Supplications, with that reverence is due to Soveraigntie and Majestie, Petition the King to animate their Acts, Canons, and Constitutions, with the influence of his Legislative Power; this were faire Quarter. But, by your favour, no sooner have they *enacted* it here, and so soone as it is solemnly *intimated*, which is, by returning to every Presbyterie, with it's Commissioners, a Copie of the Acts, Orders, and Ordinances, and by the Presbyterie's Order every Minister hath published them in the Parish Church; all things so done, are animated with a *Potestative Power*, by the influence these Orders receive from that *Legislative Power* Christ hath entrusted them with, in his *œconomicall Kingdome*. All then are bound to obedience, if it be in the meanest indifferent thing; nay, if this Order crosse or repeale a standing Law, all disobedients are lyable to all Ecclesiasticall Censures, and may forthwith be proceeded against, even till they *be delivered over into the hands of the Divel.*

They are above the King, and all Soveraigntie

This *Assembly* is above the King; to them he ought to give an account of his Faith; to their Confession of Faith he must conforme himselfe; to their Orders he must give obedience; otherwise, he is excommunicable, deposable. I feare you scarce beleeve me; yet truly, *non verenda retego, sed inverecunda confuto*: I discover not the nakednesse of Father, the shame of Brother, nor Friend; would to God the tenets and practices were buried in Hell, and the maintainers regained to God by true repentance, & forsaking their wayes: I discover onely things that are past all shame, & which our Church can never owne. Sir, if you will hardly beleeve me in this, let me give you their assertions in this case & their conformable practice.

If they cannot reforme by the King, they may by any other meanes else.

It is their constant Catholike Tenet, That if the King, Queene, Regent, or Protector, or whosoever he or she is, in whose Person Soveraigntie is fixed, or in whose Person it is representatively fixed, onely by a fiduciarie trust, during the non-age of the Prince or Princesse; will not submit himselfe to this holy Scepter, will not according to it's prescript, reforme Religion, preserve it in it's integritie; any man or men are bound to doe it, at their direction. I spare *Martin. Junior's* Faith in this, That there is no Authoritie above the Brotherhood. "*No Magistrate* (saith he, Thes. 17. 18. 22.)

"may

"*may lawfully mayme or deforme the Body of Christ, which is the* "*Church; no lawfull Church-Government is changeable, at the plea-* "*sure of the Magistrate; of necessitie, all Christian Magistrates are* "*bound to receive this Government.* Nor will I insist upon *Viggin-ton's* assertion; That, "*what the Holy Brotherhood cannot obtaine by* "*suit and dispute, the People must bring it to passe.* You desire the Tenets and Practices of the Church of *Scotland* onely.

Religion may be reformed, or preserved by violence.

The *Scot's* maintaine, That if the King, or Queene, will not reforme Religion, they may take upon them by violence and power to reforme it. This they have learned of their grand-father *Knox*, as you may reade in an Epistle of his, written from *Diepe, An.* 1557. and in *Knox Hist. p.* 213. what is lawfull for Reformation, is lawfull for preservation of Religion.

If the King will not, the Nobles may.

First, and here they begin with the Nobles, and determine right downe; *Noble men ought to Reforme Religion, if the King will not,* Knox, ap. 25. Againe, *That God hath appointed the Nobilitie to bridle the inordinate appetites of Princes; and in so doing, they cannot be accused as resisters of Authoritie,* Knox, Hist. 343. And, *That it is their dutie to represse the rage and insolencie of Princes,* Knox, ap. 33.

If neither King nor Nobles, the People may.

Secondly, in the second place; if the Nobles will not doe, *the People and Commonaltie may reform Religion, at the order and direction of the Brotherhood,* Knox to the Commonaltie, fol. 49. 50. *The Commonaltie, by their power, may bridle the cruell Beasts;* (they meane, Priests and Prelates) *Knox* to the Commonaltie, fol. 55. *The Commonaltie may lawfully require of their Soveraign, to have true Preachers; and if he be negligent, they may themselves provide them, maintaine them, defend them against all that doe persecute them, and may detaine the profits of the Church-Livings from the other sort;* (that is to say, Priests, Papists, Prelates, and Malignants) *Knox to the Commonaltie, fol.* 55.

If Nobles and Commons joyn, there is hope of some greater successe.

Thirdly, in the third place; if they come to the happinesse, to have Nobles and Commons obedient to their Commandements, for Reformation, or preservation of true Religion, (which must be so as they fancie) I am deceived, if they allow not more violence, and esteeme it more pietie, zeale, and justice. Their Tenets are: *The Commonaltie concurring with the Nobles, may compell the Bishops to cease from their tyrannie,* Knox to the Commonaltie, *fol.* 47. Againe, *The Nobilitie and Commonaltie ought to reforme Religion, and in that case may remove from Honours, and may punish such as God hath*

condemned,

condemned, Deut. 13. *Of what estate, condition, or honour soever.* Knox, ap. fol. 28. 30.

Inferiour Magistrates & people may joyne.

Fourthly, in the fourth place, if the Nobles will not joyne with the People or Commonaltie, in the Reformation, or preservation of true Religion; at the direction of the Ministerie, the inferiour Magistrates may, and should doe it. *Knox, Hist. p.* 217.

Every individuall in this good worke, may, and ought to the utmost of his power, intend and endeavour Reformation.

Fifthly, in the fifth place, before so good a worke be not done, if Nobles, or the whole, or greatest part of the Commonaltie will not be obedient, assisting, & ayding to so good a work; Every individuall man & person is bound to advance this good worke, to kill Papist, Priest, Prelate, Malignant, nay a King, if he stand out an enemie to God, and Christ, and cannot otherwise be reclaimed, or removed, nor by suit or dispute gained to the right way, (I dare say, their doctrine leads to this) see *Knox, ap. fol.* 30. where roundly he saith, *The punishment of such Crimes as touch the Majestie of God doth not appertaine to Kings and chiefe Rulers onely, but also to the whole body of the People, and to every member of the same, to revenge the injurie done against God.* Againe, see him, fol. 35. *The People are bound by oath to God, to revenge, to the utmost of their power, the injurie done against Gods Majestie.* To this purpose they alleadge the examples of *Phineas*, who in his zeale killed the Adulterers: of *Ehud*, who in the same zeale killed *Eglon* in his private Chamber, (remember he was a King:) Of *Jael*, who killed *Sisera*: of *Matathias*, who in zeale killed a Jew for committing of Idolatrie; and who, in the same zeale, at the same time killed the Kings Commissioner. Sir, put these things together, and see, where this Soveraigne Supreame Ecclesiasticall Judicatorie hath such dominion and power over mens consciences, that being directed by their Ministerie, they are bound to doe to the utmost of their power, for Reformation and preservation of Religion, what Sacred Person of any King can be secured? What man offending against the Majestie of God (which is as they sarcie many times) may not be taken away by one like to a *Ravillack*? What Commissioner or Counsellour of the King, but in doing his best service to His Master, he may be stoned like to *Adoram*, and all this goe in popular esteeme currant for good service, and extraordinarie zeale to God and his Cause?

Sixthly,

Sixthly, in the fixth place, upon thoſe grounds, Covenants and Confederacies come in, to ſtrengthen all; to joyne Purſes, Perſons, Wit, and Strength, *contra omnes mortales, Regiâ Majeſtate non exceptâ*, againſt King and Biſhop, Prince and Prelate, to the defence of the good Cauſe; with a Combination, every one to be ayding, aſſiſting, and maintaining one another in ſo good a Cauſe. *All, or as many as are well-affected, may Covenant & combine for doing this worke.*

Seventhly, in the laſt place commeth their Orders for Reformation, or preſervation; and that by themſelves and the collective Body, or any Aſſociates whatſoever, without reſpect, reverence, or obedience to the Soveraigne authoritie of the Prince. *The confederates may by themſelves give Orders.*

The practice is clearely ſeene in M. *Knox* his proceedings: for after that by his Letter, which we mentioned before, written to *Scotland*, *Anno* 1557, from *Diepe*, and otherwiſe, he had infuſed the above-named Principles into many, an Oath of Confederacie was taken amongſt them, and ſubſcription under their hands, to ſome agreement. This gave life to that tumultuarie Reformation, much ſtrength being added to it, by the concurrence of the Sacrilegious, hoping thus to ſwallow up the Church-Revenues; which is more then certaine, was againſt *Knox* his mind, and the firſt Reformers. As we deplore great loſſes the Church had by this Reformation, and doe thanke God heartily for his admirable bountie and mercie in the good of Truth we got by it, yet we will never wrong Reformed Religion ſo much, as to account of that as an orderly Reformation; we denie not, but it was attended with much Sedition, Faction, and Rebellion. *Practices upon the Tenets.*

Anno 1558, without the authoritie of Soveraigntie, nay, without the knowledge of it, theſe Confederates, at the direction of their Miniſterie, preſcribe Orders for Reformation of Religion to be obſerved and practiſed throughout the whole Kingdome. See *Knox Hiſt. p.*217, 218. *Orders of Reformation, preſcribed without the Authoritie of Soveraignty.*

They goe farther; they writ an Imperious Letter to the Religious Houſes, in the *Name of the Congregation*, commanding all of them to remove from thence againſt ſuch a day, or then they would eject them by force. *Knox, ib.* *They charge their adverſe partie to obey their Orders.*

Within very ſhort time after, a Parliament being holden by the Queen Regent, (Queen *Maries* Mother, and great Grand-mother to our gracious Soveraigne) they make a Proteſtation, That except they had their deſires, they would goe on in their intended courſe of Reformation; That neither they, nor any that joyned with *They proteſt againſt King & Parliament.*

them, should incurre therefore any danger in Life, or Lands, or other Civill Penalties; and, That if any violence happened in pursuit of those matters, they should thank themselves. It is very observable, they were all bound in that Confederacie, to assist and strengthen each other in that course: See *Knox Hist. pag.* 256. First, here you have the direction of the Ministerie: Next, you have a Confederacie, and Bond of mutuall defence: Thirdly, you have Orders and Decrees agreed upon, in common: Fourthly, you have Warrants issued out, to make or force all to be put in execution: Fifthly, you have a Protestation, and that a threatning one too, against the Queene Regent and whole Parliament: Are those things consistent with Monarchie? What Scripture? what Father? what practice of the Church doth warrant such a Reformation?

They contemne Soveraigne Authoritie.

Come on, and you shall have them anon in open contemning Soveraigne Authoritie. The Queene Regent, to suppresse these beginnings, and to nip them in the bud, cites them to appeare at *Stirling*: They appeare not; they are out-lawed: all men, under paine of Treason, are inhibited to assist them. There is no obedience, but all in the Confederacie adhere to them: I cannot, for my part, justifie this Divinitie.

They usurpe Royall Power.

From Disobedience and Contempt, they are guiltie of usurping the Royall Power: for very shortly after, *Anno* 1559. immediately after a Sermon preached by *Knox* in *Saint-Johnstowne*, at his exhortation and direction, they fall to the pulling downe of the Religious Houses, and within two or three dayes equall three of them to the ground. Can it appeare, that by Holy Writ or Reason such Popular tumultuarie Reformations are warrantable? Is it not intrinsecally inherent in the Crowne, or whersoever Soveraigntie is fixed? And so they proceeded in *Fife, Angus, Mornis, Stirling, Lowthian*, &c. and through the whole Kingdome. See *Knox Hist. p.*263. Here were many goodly and rich Churches spoyled, robbed, and cast downe.

They recouvree their lawfull Soveraigne.

After this they disclaime Soveraigne Authoritie, except it be as they please, and have their desires. The Queene Regent threatned *Saint-Johnstowne*, where this disorder first was acted. They of the Confederacie writ to her in plaine tearms; "*That except She stayed* "*from that crueltie, they should be compelled to take the Sword of just* "*defence, and protected. That without the Reformation which they de-*"*sired, they would never be subject to any mortall man.* See *Knox, p.*265.

More

More followed. By a Letter they cite all their Brethren to repaire unto them: and that you may know, that their Letters were Authoritative Commands, and that all the Authoritie is from the *independent Soveraignte of the Church*; consider, how they write to the Nobilitie, upon paine of Excommunication, to joyn with them. *Knox ibid. pag.* 268, 269, 272.

They command all the Brotherhood to be assistants.

How much this Ecclesiasticall Soveraignte did exalt it selfe above the Civill, is more then apparent in this, That when an Herald in his Coat of Armes, commanded all men under paine of Treason to return to their houses, by publique sound of Trumpet, in *Glasgow* no man obeyed that Charge, but went forward to their Associates, *Habes confitentem reum.* Knox, pag. 274.

They are obeyed, the Queenes Herald is abused.

They denounce Warre too, which was ever judged to be the peculiar specifick prerogative of Soveraignte: for they writ to the Bishops and Clergie, *That except they desisted from dealing against them, they would with all force and power execute just vengeance and punishment upon them; and, that they would begin the same Warre which God commanded Israel to execute against the Canaanites.* Which manner of proceeding, they tearmed a resisting of the Enemie. *Knox Hist. p.* 275, 276.

They denounce Warre against their adversaries.

The poore Queene Regent was brought to an Accommodation, and the Assembly at *Saint-Johnstowne* was dismissed: But there parting, they entred into a * League by Oath, *That if any one Member of their Congregation* (this in the *Scotish* is equivalent to *Ecclesia*) *should be troubled, they should all concurre, assist, and convene againe together, for the defence of the same.* Knox, pag. 283.

They will heare of no Peace, but enter into a Combination for mutuall defence.

* This is much like a Clause in the late horrid Covenant.

The Queene Regent finding this Soveraignte over-beare Her's, and the Peace of the Kingdome shaken, by a Declaration published and proclaimed, testified her desire of Peace, and descended so much, that really it was onely a Request: They scorned it, would none of it, confuted it by another, did exhort those of their Faction to *encourage themselves in the Lord*, to stand upon their guard, like to the re-builders of *Jerusalem* and the *Temple*, with the Sword in one hand, and the Bible in another; wherein they gave the Queene many times *the* * *Lye*, and abused her with reproachfull and contumelious speeches. The Subjects that continue their obedience, are honoured with no better tearme, then to be called *the Queenes Faction.* You may reade this at leysure and pleasure in *Knox Historie, pag.* 330, 333, 362, 364. Nay, they renounce their obedience unto

* Not much unlike the uncivill language cast upon our gracious Soveraigne in these Times.

unto Her, protested, That *whosoever should take Her part, should be punished as Traytors, whensoever God should put the Sword of Justice into their hands.* Knox Hist. p.364.

They depose the Queene Regent.

At last they rise to the highest pitch of Rebellion, and *Anno* 1560 they depose the Queene Regent; the predetermination being given, That it was lawfull for them to doe so, by M. *Knox* and M. *Wilcocks*. This is upon Record yet in that Kingdome, and is set downe by M. *Knox* himselfe, *Hist. pag.* 372, 378. And it is observable, that the Queene, if I remember right, lived but a month, or little more, after this pious act.

The Author's modest opinion of that is called the first Reformation of Scotland.

Some will now say, that I speake too hardly of our first Reformers and Reformation, and would know what is my opinion of them and it. To deale clearely; God is my witnesse, I am no *Papist*, but doe abhorre *Poperie* as much as any; and that I am no *Puritan*, the other partie will witnesse for me: I am bound to speak the truth in my heart; and to give some satisfaction, I say, First, as I am able, I blesse and prayse God most heartily, that we were delivered from the Popes Tyrannie, and that grosse *Ægyptian* darknesse we were under: which I ascribe to the admirable wisedome and infinitely transcendent goodnesse of God. Next, I leave the men to God's mercie; but for the manner of proceeding, the way they tooke, I dare not, I will not approve it: but will say with *Jacob*, *in consilium eorum ne veniat anima mea.* Thirdly, I dayly heartily bewaile that, that too too much Idolized Reformation, in an excessive hatred against *Poperie*, did run too much to the other extreame; that the goodly Order and Government of the Church was shouldered out; the publique service and worship of God, with it's decencie, reverence, and comelinesse, was much defaced, disgraced; That goodly, stately, and rich Churches, were abused, robbed, and equalled to the ground; and, that the Church-Patrimonie was dilapidated: and yet this was not so much done by the first called Reformers, as by their Disciples, *Ætas parentum pejor avis.*

It feareth me, besides that God is punishing our present sinnes, that by this Scourge, which is gilded with the specious, but spurious compellation of a *glorious thorow, second Reformation*, he is in the same justice punishing the sinnes of that first Reformation. For my part I judge verily, that Church had never an orderly and warrantable Reformation, till it was happily begun and advanced by

by King *James*, when he tooke the Government in his own hands, and was like to come to a great perfection under the Government of our most gracious Soveraigne King *Charles*: Although I denie not, but the seeds of Truth, sowne by *Hamilton*, *Wise-heart*, *Mylne*, and others, who before *Knox* his time did preach Truth, cast downe the errors of *Rome* in the peoples hearts, were farre from stirring up the subjects against lawfull Authorities, and like the ancient Martyrs, did suffer patiently, and seale the Truth of the Gospel with their bloud. If *Knox* and his Complices had kept in this way, I am certaine that Church had beene more happy; nor had we seen such Robberie and deformitie in the Church. Sure I am, great, many, and more then ordinarie sinnes in them, and us, and our fore-fathers, have brought us to be plunged in those almost inextricable miseries: and till we proportionably repent, we cannot looke to see better dayes; what is dis-joynted in State set aright, and the beautie of God's House restored: which God of his mercie grant to us, for his onely Sonne Jesus Christ.

By what is said, it appeares sufficiently, that this *Spirituall Soveraignie* is farre above the King's Crowne: and what we undertooke, to make their practices prove their Tenets, is more then evident; onely one thing rests to be proved, That this Soveraignie may authorize any and every private man to doe to the utmost of their power for the Reformation of Religion, to plunder, kill, &c.

Practice of mischiefe done by private men, and commended by them.

Sir, I referre you to M. *Knox* Historie of the Church of *Scotland*, *pag.* 143, 144, 145. where relating how Cardinall *Beaton*, Archbishop of S. *Andrew's*, (a man whom I justifie not, neither commend much) was killed by *Norman Lesley*, *John Lesley*, *Peter Carmichael*, and *James Melvil*, in his owne house, the Castle of S. *Andrew's*, who were all onely private Gentlemen; and if you will trust *Buchanan*, the cause was, a jarre betwixt *Norman Lesley* and the Cardinall, upon *Knox* his faith; the quarrell was, the killing of M. *George Wise-heart* (a good man undoubtedly.) The Cardinall could have no mercy, although he cryed pittifully for it, saying, *I am a Priest, ye will not slay me: Knox*, I say, relating this historie, commends the fact of *Iames Melvil*, killing him with grave and pious words in his mouth, as a godly fact. The summe of the storie is; when they entred the Cardinall's Chamber, with some sixteene or seventeene more, *John Lesley* and *Peter Carmichael* fell violently

and passionately on him, but *James Melvil* with gravitie and pietie withdrew them, and said: "*This worke and judgement of God,* "*(although it be secret) ought to be done with great gravitie. And* "*presenting unto him the poynt of the Sword, said, Repent thee of thy* "*former wicked life, but especially of thy shedding of the blood of that* "*notable instrument of God, M.* George Wise-heart, *which albe-* "*it the flame of fire consumed before men, yet cryes it a vengeance up-* "*on thee, and we from God are sent to revenge it. For here before my* "*God I protest, that neither the hatred of thy Person, the love of thy* "*Riches, nor the feare of any trouble thou couldest have done to me* "*in particular, moved, or moveth me to strike thee: but onely be-* "*cause thou hast beene and remainest an obstinate enemy against Christ* "*Jesus and his holy Gospel.* And the meeke man of God, as he is there tearmed, strucke him twice or thrice thorow with a flog-sword; and he fell. I give all this, that *James Melvil* did this in revenge of M. *George Wise-heart*, being slaine by the Cardinall: What Divinitie will warrant this fact of *James Melvil's* to be a good and godly fact (for so it is noted in the Margent) to a private man, to murther or kill thus a Priest, an Arch-bishop of so high dignitie? The result of all is, he did it gravely, in cold blood, told him so much, that he was sent from God, he had no private end; the motive stirred him up to this godly fact, was, That he had beene, and remained at that time an enemy to Jesus Christ, and his holy Gospel; he exhorted him to repentance, and for all his great sinnes, as *Knox* writes the storie, he allowed him no more time, but so much as was spent in his godly Counsaile: for immediately after he was twice thrust thorow. But those Seraphicall Doctors know, *Nescit tarda molimina Spiritus Sanctus*; and the Spirit can worke suddenly, *Inter os & offam*, *Inter Pontem & Fontem*, especially where and when they are sent of God to doe such great good works: But this is *protestatio contra factum*. Whatever M. *Melvil* said in his Protestation, *Knox* doth witnesse, that the Cardinall being murthered, they seized upon *the Artillerie and Ammunition, wherewith that Fortresse was plentifully furnished, and likewise upon the rich hangings, household-stuffe of all sorts, apparell, Copes, Iewels, ornaments of Churches, great store of Gold and Silver-Plate, besides no small quantitie of Treasure in readie Coyne.*

I could instance some practices about the time of the Parliament, in *Anno* 1621, commonly called the Marquesse of *Hamil-*

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ton's Parliament, but becauſe that will onely reflect upon ſome parcular perſons, I paſſe it willingly and wittingly.

It is moſt certaine, when the pious and learned Doctors of *Aberdene* did demand of the Patriarches of this late Covenant; Why they did not by Preaching, Printing, Cenſuring, or ſome reall deed, expreſſe their deteſtation of that horrid fact done by the Raſcally-rout of *Edenburgh* the 23 of *July*, 1637, where at the firſt reading of the Service there, a great many Biſhops being in the Cathedrall Church, the Serving-women roſe barbarouſly within the Church, did throw their ſtooles at the Biſhop of the place; & the Dean who was officiating, did cry out moſt horribly, that the Major, Aldermen, and others within, could hardly compoſe it for a long time; and the worſt and baſeſt of the People, who were without, did throw in great ſtones at the Glaſſe-windowes, the doores being ſhut: After the ariſing of the commotion, to prevent more tumult and danger, and when Service and Sermon were done, the Biſhops, Major, & Aldermen, going home with the Lord Chancellour, and ſome Bs. attending his Grace, the Biſhop, and Deane of *Edenburgh*, with others, were wel-nigh ſtoned in the ſtreets: when I ſay, it was demanded of theſe Apoſtles, Why they did not condemne this unchriſtian Barbarous out-rage, voyd of Pietie and Reaſon, and without any example in the Chriſtian Church? the ſumme of their anſwer was, and to this day is, That ſuch a zealous people were to be left to their owne warrand, they knew not by what Spirit they were governed, God worketh great workes many times by baſeſt meanes: and yet thoſe Nobles they ſpeake of, thoſe zealous, thoſe intelligent and knowing Chriſtians (whereof many of them in *Edenburgh* were knowne Coale-ſtealers and Whores) were the firſt *active inſtruments in this glorious Reformation.* I confeſſe, this Divinitie is ſo tranſcendent and Metaphyſicall, that it exceeds my capacitie, and is ſo fruitfull upon any occaſion to work all or the greateſt of miſ-chiefes, that I doe not ſee how it can conſiſt with peace or ſafetie of King, Kingdome, Church, or of any entruſted with greateſt truſt in Church or State: I beleeve, any rationall man may ſee by this, how ſuperlatively this ſpirituall Signorie is above King and Royall Soveraigntie. And that this Government Eccleſiaſticall is inconſiſtent with Monarchie, with the Peace of a Kingdome, and is or may be in time a Mother and Nurſe of as much Rebellion and Treaſon as any Jeſuitiſme of the Higheſt

dye,

dye, if not more. Certainly *Rome*, although a Whore, and hath a cup of abomination in her hand, is not so bad nor so abominable; I pray God to keepe all good Christians cleane of both.

Let us goe on; In Faith, Worship, and all spirituall things they vindicate to themselves such a Soveraigntie, that *King*, *Councell*, *Parliament*, nay, all together, must not touch the Scepter of Christ; they are to Determine, Define, take Cognisance, Accuse, Sentence, Punish; neither King, nor King and Councell, nor King and Parliament, must assume power here; for otherwise, it is to intrude upon Christ and his Right.

when they demand the Royall conformation of their Decrees, it is onely an act of courtesie.

This Soveraigntie is of so high a straine, so large an extent, that when they have decreed any thing in this supreame infallible Judicatorie, that they may have the better obedience to demand the King and Parliament's approbation; This is not demanded as a thing arbitrarie, which the King and Parliament may doe, or not doe; or leaving it to His Royall judgement, with the advice of His Parliament, to qualifie or rectifie their Decrees and Orders: No, no truely; that is, to betray the trust Christ hath given them: they need not supplicate or Petition for it; it is in them but an act of courtesie, to shew dutifull obedience. And if the King and Parliament will not grant it, they are armed with as much power from Heaven, as to force them to doe it, by Excommunication, and making all good Christians joyne with them in God's Cause.

Some may thinke, I speake liberally; God forbid I should doe it: If any desire to know more in this particular, let him reade the *Scotish* Pope's Sermon, Preached at *Westminster*, and Printed by Order of the House: I will not spend Time and Paper, to cite his words, which giveth to the King no more Authoritie then this; To approve by his subscription, what the Presbyters have Decreed. But to make this appeare, I give you some unanswerable Reasons: First, It is certaine, in *Scotland* M. *Knox* and his Complices set on their Reformation, without the Queene, or Queene Regents Authoritie, or the Authoritie of Parliament. For *Anno* 1558, they made their Confederacie, gave out their Orders for Reformation, throughout the whole Kingdome: *Anno* 1559, they Acted their Reformation, by casting downe Churches, Abbeyes, &c. casting out Priests, Fryers, &c. and all this, by their owne radicall and originall power. Queene *Mary*, their true and lawfull Soveraigne,

An instance, anno 1559.

did

did authorize them in nothing; ſhee was then in *France*. The Queene *Dowager*, Queene Regent, King *Iames* the fifth's Widow, having the Soveraigntie by fiduciarie truſt, in regard of the abſence of the Queene her Daughter, did not authorize it; nay, ſhe did by her Authoritie oppoſe it, contradict it, came in Armes againſt it. The Parliament was not till the yeare 1560, (how holden for the preſent I cannot tell) but in that Parliament they ſet out a Confeſſion of Faith, reformed Religion: but when they ſent to the King and Queene beyond Seas (Queene *Mary* was then married to *Francis* the ſecond in *France*) to confirme or ratifie the Acts thereof, they denyed. When intelligence was given to the Confederates, they profeſſed, they little regarded the denyall of King and Queene; for, ſay they, (*Knox Hiſt. p.* 500.) *all we did, was rather to ſhow our dutifull obedience, then to beg of them any ſtrength to our Religion.*

Another in this kind you have; In *Anno* 1571, King *Iames* then being King, and the *Earle of Marre* being *Regent*, an Aſſembly was holden at *Leith*; where, by the Order of the Aſſembly, and Ordinance of the *Regent* and Councell, ſome Commiſſioners were appoynted from the *Regent* and Councell, and ſome from the generall Aſſembly, to condeſcend upon a *Plat-forme of Diſcipline*, which was agreed to on both ſides. The *Plat-form* is, That the Government of the Church ſhall be by Arch-Biſhops, Biſhops, Deanes and Chapters, &c. the order and courſe of all their Nomination, Election, &c. is juſt conform to this in *England* at this day, & as it was in *Scotland* before this late pretended Reformation, being indeed but the Churches deformation. That *Plat-forme* was enrolled in the Councell-Books of that Kingdome, and ſtands there to this day: This I know certainly, and if I be not deceived, and almoſt I dare ſay it, except they have wronged their moſt famous and their moſt ancient Councells, the ſame is upon Record in the *Generall Aſſembly Bookes*. *Another inſtance, anno* 1571.

Give me leave to tell you by the way one thing, that the *Negative Faith*, which is *ſine rugâ, ſine maſculâ*, was framed *anno* 1580, and it is believed, that in that Negative Faith, Epiſcopacy is abjured as Antichriſtian; yet *anno* 1581, this ſame Government is renewed, ratified, and ordained to continue conſtant, and not to be changed, till His Majeſtie come to perfect age, and to be kept or changed then only in what He and His great Councell, the Parliament,

ment, shall thinke fit, and not otherwise. Before this, the King His Houshold and Councell had subscribed the *Negative Faith*; can any man, not voyd of judgement and discretion, thinke, that the King, His Houshold and Councell, in subscribing it, did judge Episcopacie Popish and Antichristian?

Next, it is worth your notice taking, that as I honour the good parts which were in *Knox* and his fellow-labourers, I never accounted them as Apostles, men secured from error; yet I will say so much for their justification, That they were greater Enemies to Sacriledge then their after-disciples; and were not against the Order of Episcopacie, as Popish and Antichristian, as M. *Andrew Melvil* and his disciples afterward maintained. Nor were they so foolish, to seclude all Church-men from voyce in Parliament; only their desire was, That seeing the Popish Bishops were allowed to enjoy their Benefices & Rents during their life time (this was more then our charitable glorious Reformers allowed to their Protestant Bishops now) with all other Priviledges, except Spirituall jurisdiction, that they should not sit in Parliament as the *representative of the Church*; but in their places, should sit the *Super-intendents and Commissioners of the Church*: Which indeed were somewhat like to Bishops, but resembled more Arch-Presbyters then Bishops,

They set on their Discipline by themselves.

To returne againe thither from whence we digressed; after that this Plat-forme of Discipline was so agreed and established, as we told before M. *Andrew Melvil* comes to *Scotland* about the yeares 1574, or 75, *ultra citra*. This man, a good Hebrician and Linguist, and full of the *Geneva Talmud*, which was now more refined, beginneth to set Presbyterian Discipline higher; to make a *second Booke of Policie*, or *devout Imaginations*, acknowledgeth no more Orders in the Church, then the foure above-named. A Bishop was no more in Scripture, but the same identically with Presbyter; and where Abbots and Priors to his time were nominated and admitted to the Abbyes and Priories as Church-men, gave their trialls, and were *collated* (as they speake) by the Super-intendents: This great Doctor found out another Divinitie, That there was no Bishop but a Parish-Priest; Scripture for Abbots and Priors, there were none such in God's Booke. At this time, and from that, they call Reformation to this time; there was no Bishoprick nor Abbey annexed to the Crowne, and consequently, not impropriate to any Subject. It is true, Lay-men held them *in commendam*, by the King's

King's gift, but as men able to doe the King and Church good service; and before their right could be compleated or perfected, they were to returne to the King from the *Super*-intendent a *Collation* or Certificate, That he was of that abilitie, to doe good service to the King and Church. Men sacrilegiously disposed, grasped greedily this Doctrine, and thanked God that their names, as *Abbots* and *Priors, were not in the Booke of God*: And to have these Church-livings and dignities, with Bishopricks annexed to the Crowne, and from thence to impropriate them to them and their heires, they deified M. *Melvil*, and contributed their best wits and uttermost power to rayse Presbyteriall Government higher. And by the *sole Authoritie of that they call the Church*, they began, without the King, Councell or Parliament's consent or Authoritie, to distribute the whole Kingdome into so many Presbyteries, as they thought fit in their discretion, and by the direction of the holy Spirit, as they blasphemously pretended, and did procure private subscriptions to their new Booke of Policie, and put it in practice. They will more readily beleeve this, who know that in *England* the *disciplinarians* in *London*-meetings debated & established their Orders in secret and not warrantable Conventicles, & much about the same time; and great correspondence was entertained betwixt the *Scots* and the *English* at that time. How that booke of Discipline was practised without any authoritie in *Surrey* and *Northamptonshire*, and other places, is knowne well enough.

Now, I appeale to my judicious Readers, to judge, when without Authoritie, by their owne inherent radicall Right, they make Orders, Reforme, Establish a Discipline; Whether these men imagine, that the concurrence of Christian Authoritie Soveraigne is absolute necessarie, or that their demand is any thing else but an act of courtesie, when by themselvs and assistants they may establish and practise it?

This Second booke of Policie, Master *Melvils* Reformation, is the *Epocha* of our second Reformation. The fruits of which I will tell you, were the Annexation of all Bishopricks, Abbeyes, Priories, &c. to the Crowne; which was effectuated, *Anno* 1587.

If you will cast your eyes upon *the third glorious Reformation*, that makes the Popes knees shake like *Belshazzars*,

when he did see the hand-writing on the Wall, (that is, if we will speake truely, this (as I said before) deformation, which is the disgrace of reformed Catholike Religion, and which threatneth Church and Religion, King and Kingdome with ruine) you will find these men have sung a note above *Ela*, have ordered and practised more then all that went before them; *Hanc movere nolo Camarinam:* I hope a better wit, and more elegant and eloquent pen, shall sometime Anatomise this Monster, and so lay it open to the view of the world, that it shall appeare to be no true brood of the Reformed Catholike Protestant Religion.

All must preach as they direct.

Secondly, another argument to prove, that this Superlative Soveraignitie *in spiritualibus*, hath all its most naturall Subjects at its devotion and obedience, is this: That what they command to be Preached, must sound alike in all their Synagogues; And whosoever he be that is the Minister of the Kings Family, he must Preach the same: There is no co. equall, corrivall, or co-ordinate power, that can doe so much as *intercedere*, make the least sort of crossing, opposing or interposing. Is it not knowne, that the *Kings Minister* in *Scotland*, at the direction of this *Conclave*, when His Councell have beene to meet frequently for Treatie with Ambassadours from forraine Kings; upon the Lord's Day, or Week-dayes Sermon before the meeting, μετὰ παῤῥησίας, *in great freedome of the Spirit*, hath told him all the Counsell of God from Heaven, with a denunciation of Judgements, if he swerve from it? And if the King had gone to the Church of *Edenburgh*, a Beardlesse boy had told him more sound wisedome from Heaven, how to article and conclude in matters of Highest concernment betwixt him and *Spaine*, or him and *France*, then all the wisest Councellours and greatest Nobles in the Land: and this forsooth must be the King and Councell's Rule.

They appoynt publike Fasts.

Thirdly, doe they not challenge to themselves the sole power to appoynt publike Fasts, to give the reasons of it, which ordinarily are, That Gods judgements are incumbent and imminent upon Church and Kingdome, for the sinnes of the Governour and Governours, and that the Government is amisse? And the consequent or effect of these Fasts, is too too freequently and ordinarily some Commotion, Sedition, Rebellion, or at least, some change of Court, Councell, or Session.

I cannot

I cannot here passe by a storie as true as strange. While King *James* was in *Scotland*, two *French* Ambassadours had remained some moneths there with Him: being ready to depart, and take their leave of the King, the King for His owne and the *French* Kings greater Honour, sent on a Saturday for the Major and Aldermen of *Edenburgh*, commanding them the very next Monday to Feast the *French* Ambassadours: The Ministers of *Edenburgh*, to affront the King, and the King of *France* too, on Sunday intervening indict a solemne Fast to be kept to morrow, on Monday, the day appoynted the Saturday before by His Majestie, for the entertainment of the Ambassadours. The Magistrates of *Edenburgh* proudly contemne the Command of the supreame Spiritual Powers, and out of carrall affection, feast the King and the *French* Ambassadours Royally and Nobly on Monday; when the Ministers and the good Christians of *Edenburgh* fast, the King, the Ambassadours, and Magistrates of *Edenburgh* feast: *ô facinus horrendum!* But to avert Gods judgement from the Land, the Major and Aldermen were cited & convented (here was some favour, that the King and Ambassadours were not; but I will tell you, it was partialitie and corruption; for some of the Ministers were the Kings Pensioners, and this kept the King free) to be censured for their high Scandall, in contemning so solemne a Fast. There was much worke: but the King, who was the chiefe and almost sole transgressour, with interposed delayes, and much sollicitation and prudence, tooke off the edge of their zeale, and the pursuit ceased.

A strange affront offered to King James.

Fourthly, That this Assembly is Soveraigne in *all Spiritualls*, admits no Co-ordinate or Co-equall power, farre lesse a superior, is cleere in this; That if any Preacher be charged before King or Councell for any offence to be punished, if they in any case can cloathe it with a Spirituall respect, or circumstantiate it so, that it may be qualified for the Spirituall High *Sanhedrim*, the partie cited and convented may and ought to appeale to the *General Assembly, as to the Judge competent*: M. *Andrew Melvil*, if I be not deceived, was the first Spirituall Councellour of Law, that taught this way. It is certaine, that what they Preach in Pulpit is not censurable by King, Parliament, nor Councell, or any Judge or Judicatorie else: There be two reasons for it; One is, that, *Spiritus Prophetarum subjecti Prophetis*, the Spirit of the Prophets are subject

None Preaching Treason, is censurable by any but by them.

to the Prophets onely, 1 *Cor.* 14. The other is, whilst men are there in that infallible Pulpit, they are (as they boast it) ruled by some superior good Spirit, and they dare not blame or condemne them, lest they should offend and sinne against the Spirit; and so, although a man Preach downe-right Treason, if it be in this place, he is priviledged. It is knowne, and, I hope, yet remembred, that after King *James* of blessed memorie, *anno* 1584. made many good Lawes to curbe the Insolencie of Ministers, did by Statute and Act of Parliament declare His Supremacie over Ecclesiasticall Persons and Causes; condemne all Judicatories in use, which were not by his owne Authoritie established; (He meaned the Presbyteriall) That the Ministers then did importune the King to repeale them: And when that would not doe, did they not fall at last into open rayling against him in Pulpit, *as an enemie to Christ and his Kingdome?* They dispersed through the Kingdome infamous Libells against His Person and Royall Honour; they branded Him as an Apostate from the Truth, and reviled Him as an off-spring of the cruell and bloodie House of *Guise*. This forced the King to put out a Declaration, *anno* 1585. in Print, yet extant, to vindicate Himselfe and His Honour from that unchristian and more then disloyall calumnies. At or about the very same time, some fugitive Ministers out of *Scotland*, pretending they were persecuted, did in the Pulpits of *London*, with their foule mouths, rayle against His Majestie, the wisest and learnedst of Kings; so that the *Scottish* Ambassadour was forced to complaine to Queene *Elizabeth* of it: Her Majestie gave present Orders to the Lord Bishop of *London* then, to silence all the *Scottish* Preachers there.

This is the Scotish Doctrine, the root of all Sedition and Rebellion.

Now, that this *Sanhedrim* is onely competent Judge in *Spiritualibus*, and that one convented before King and Councell, may decline his and the Councel's Authoritie, although he hath Preached Treason, appeareth cleerly: First, if this had not beene an ordinarie practice before this time; what needeth the making of that Act of Parliament, *anno* 1584. declaring it Treason in all time to come, to decline the Power and Jurisdiction of the King and His Councell? Secondly, has not *James Gibson*, Minister at *Pencaitland*, witnessed for, or against himselfe rather, in this case in Print; who publikely in his Preachings compared His Majestie unto *Jeroboam*, told Him He should be the last of His Race, reproached Him as a Persecutor; and much more of this zealous stuffe: who being convented before the King & Councel, & accused of those pious crimes

he

he with that boldneſſe which becommeth his Order, juſtified all, ſaying to His Majeſtie; *As long as you maintaine theſe curſed Acts of* 1584, *the tyrannie of Biſhops you are a Perſecutor: And addes, That as* Jeroboam *for the leading of the people of* Iſrael *from the Lawes of the houſe of* Judah, *and from the true worſhip of God, was rooted out, he and all his poſtertie; ſo ſhou'd the King (if He continued in that wicked courſe, maintaining thoſe wicked acts againſt God) be rooted out, and conclude the Race.* Much more to the like purpoſe was ſaid, & if any look upon the Privie-Councell books of the Kingdom of *Scotland*, he will find this a truth. He was convented 27 *December, anno* 1585. This man was an Oracle conſulted, & gave his anſwer in *Coppinger*, *Arthington*, and *Hacket's* extraordinarie motion, which ſtorie you know better then I.

M. *Black* Miniſter of S. *Andrew's*, was convented too before the King and Councell about the ſame time, who appealed from King and Councell *to the Presbyterie or Generall Aſſemblie*; this laſt had ſpoken againſt both King and Queen: There was a great buſineſſe for the two mens appeales, their *Brethren* ſided ſo much with them, that the King had too much to doe: At laſt, out of more then warrantable indulgence, His Majeſtie was content to inſiſt no farther againſt them before His Councell, but remit their Cenſure to the *Generall Aſſemblie it ſelfe*: before which it was cleerly proved, that in Pulpit they had ſpoken reproachfull & Treaſonable ſpeeches; yet could the King, by no power or intreatie, obtaine of them to inflict any puniſhment upon them, becauſe ſaid they, *They knew not with what Spirit they were over-ruled.*

I will ſhut up this poynt with one inſtance more then ſufficient, to make the truth of what I ſay to appeare. *Before K. Iames* came to the Crowne of *England*, it was ordinarie in *Scotland* to have a *Generall Aſſembly* once a yeare, & oftner *pro re natâ*, upon any great exigent. The laſt which was kept during His Majeſties abode there, was *anno* 1602. In the cloſe of which, the next enſuing was appoynted to be at *Aberdine, anno* 1603, in the *interim* the King ſucceeding to Q. *Elizabeth*, & being in *England*, He was ſo much taken up with the affaires of the King ſom, that He was neceſſitated to lay aſide thoſe concerned *Scotland*, & for this reaſon His Majeſtie thought it fit to adjourn the Aſſembly (unto which he had a ſpeciall eye, knowing their turbulent diſpoſition & experienc'd in it whil'ſt he was preſent amongſt them) to the next Summer, in *an.* 1604. When the time appointed was come, His Majeſties more weighty affaires not ſuffring him to think

upon

upon *the Assemblies businesse*, He gave order to Prorogate it to another and longer day; which was accordingly done by publike Proclamation, authorized by His Honourable Privie Councell of that Kingdome. Notwithstanding all which, some Thirteene or Foureteene Godly zealous Brethren must needs meet at *Aberdene*, at the day appoynted for the Assembly: They established and formalized the Judicatorie, by constituting a Moderator, a Clerk, and other essentiall Members of the Court. The Lords of the Councell understanding this contempt, sent a Gentleman of good qualitie and place, with an Herault at Armes, to discharge and dissolve their meeting. The Commissioner and Herault were entertained with as much respect, as before they had given reverence to the Proclamation, issued out by the Soveraign Authoritie of the King, with the advice of His Honourable Privie-Councell. The *Holy Fathers in the great Sanhedrim* professed and professed, That in Conscience and Dutie to Almightie God, they were bound to preserve the Churches right, and could not, would not, give way to that power the King Sacrilegiously usurped, which properly and natively belonged to the *Church virtuall, the Assembly*. They kept and continued the Assembly some dayes, and finding that no more of the holy Brother-hood came to joyne with them, they dissolved; and to preserve the holy right of the Church, appoynted the time and place of meeting for the next Assembly. The King hearing this, gave order to His Privie-Councell to cite and convent them before them, and to punish this High contempt: The more *zealous Champions of the Lord of Hosts* appeared, and with an undaunted courage gave in to the Lords of Councell a *Protestation, a Declinator* from the Kings Councell, and appealed to the next *Generall Assembly*, as the sole and competent Judge in this Case and Cause. The Kings Attorney or Advocate, by Order from the Councell-Table, was ordained to pursue them criminally before the Lord Justice Generall, and that upon the Act of Parliament mentioned before, *Anno* 1584; upon which Order, the one halfe confessed their fault, and easily made their Peace, and obtained pardon. The Zelots were convicted of Treason, *ad Terrorem & exemplum*, more then for any other end or respect; and onely banished the Kingdome: Of whom, the most part thereafter, upon confession and submission, were pardoned, came home, lived and enjoyed their owne, or at least as good, if not better Benefices.

The same Spirit now raignes in our Anabaptisticall English.

Are

Are these things consistent with Monarchie, or the obedience is due to Soveraignitie and its Highest Courts?

So absolute and uncontroleable is this *High* Celestiall Court, that it commandeth Conscience and Soule, disposeth of *Body* and Estate in the poynt of Religion, that if you conforme not in all, neither Soule nor *Bodie*, nor Estate can be in Peace; nay, no toleration can be allowed, where this Soveraignitie domineereth. And to make this power of the larger extent, it is certaine, their Faith and things necessarie to Salvation, are of greater latitude then that of the Councell of *Trent*.

The Soveraignitie Ecclesiasticall Tyrannizeth over Conscience, Body, and Estate.

If any doth not, after a little time granted for information, conforme and subscribe to their Confession of Faith, (which is more in negatives and destructives, then affirmatives and positives) their rule of Government, their manner of Worship, and what else in their opinion is necessarie to Salvation, (and in this I am sure they are more rigorous then ever God or Catholike Church was, for if you dissent but from them in a Theological Tenet, it is Heresie) you are forthwith excommunicated, *and given over to the Divell:* After which, upon the remonstrance of a Commissioner from the Presbyterie to the Civill Judge, there is a Warrant from Supream Authoritie given out, to command you to conforme (this is different from the Writ *De excommunicato capiendo*) or then within few dayes to be put to the Horne (that is, Out-lawed.) Upon disobedience, the tender Conscience not conforming, the Out-lawed's Estate moveable (Chattells we call it) become proper to the *King*. God knoweth, little of this benefit commeth to the *King*'s Thesaurer, but a *Donater to the escheit*, which ordinarily is the Convicted's mortall Enemie, and for a little composition hath the right made over, and hath the benefit of the escheit. If within a yeare and day he give not obedience and conformitie, [his whole Revenues and Rents of immoveable Goods forfeit to the *King* during his life time: Some Enemie of his, or Favourite of the Thesaurer's, obtaineth the *King*'s Right, and the *King* hath little or nothing of it. *Here* you have him stript of all his Estate moveable, immoveable. Yet here is not an end; but still upon Remonstrance of the *Prebyteries or Churches Commissioner*, another Writ goeth out, which they call Letters of Caption (that is, if I mistake not, the tant'amount of the Writ *de Excommunicato capiendo*) which is directed to all Sheriffs, Stuards, Provosts, *Bayliffs*, &c. to seize and

secure his Person whereſoever it may be apprehended, and to commit him to cloſe Priſon as a Rebell. If he skulk and hide himſelfe, then upon the ſame Remonſtrance goeth out a Writ, which there they call *Letters of Intercommuning* (I know nothing in the Law like this) the intent is, that none of the Kings Subjects commune or conferre with him *coram* or perſonally, or by Letter or interpoſed Perſon keepe intelligence or correſpondence with him; otherwiſe, the intercommuner is to be judged & reputed to be a Rebell of the ſame guiltineſſe. You will be pleaſed to remember this, when the Church requireth all theſe of the Civill Magiſtrate (ſo they are pleaſed to terme Soveraigntie) he is bound to grant them. Now, I pray conſider, if this is not in many reſpects worſe then the Inquiſition; when an opinion in a Theologicall Tenet, different from the aſſured faith of thoſe *Gamaliels*, may bring a man unto all thoſe troubles. Onely to make amends for this, and to palliate their crueltie, they would faine perſwade us, that this authoritative way preſerveth a Church from Hereſie, Error, Superſtition and Schiſme.

This Court is Judge of Treaſon in relation to Religion, and of fit and worthy Councellors for a King.

There is another practice of the power of this Court; That for the glorie of God, forſooth, the honour of the King, the good and preſervation of Church and Religion, it may aſſume to it ſelfe to be Judge of what is Treaſon, what is not; who are fit Councellours for a King, who not.

Practice is the moſt ſure infallible and cleare proofe and demonſtration of power. I will give you one in the caſe of Treaſon, that none dare to ſay it is a Lye, and which can be made good by the authentique and publique Records of Parliament and Councell of *Scotland*, and their owne Noble Acts of Generall Aſſemblie.

When King *James*, about the age of *Joſias*, (when in holy Writ it is recorded of Him, that He began to ſeeke the Lord with all His heart) had taken the Government of the Kingdome in His owne hand; and did Reigne and Rule with ſuch prudence incomparab'e, admirable, that none could juſtly except againſt Him or His Government: yet ſuch was the reſtleſſe ambition of ſome, who could not with patience endure the truſt of others, eſpecially of that Noble worthie *Eſme Duke of Lenox*, His Majeſties neareſt Kinſman and higheſt Favourite, and that juſtly for His moſt eminent Noble endowments. Theſe diſcontented Gentlemen put on a reſolu-

reſolution to get the King into their hands and power, and to thruſt out that Noble Prince. They watched an opportunitie, when the King came to His ſport of hunting neare to *Saint-Johnſtowne*, with an ordinarie attendance, (the Noble Peere ſtaying with others at *Edenburgh*, for the King and Kingdomes better ſervice) ſurpriſed him fearing no ill, ſeized his perſon, carried him along to the Caſtle of *Ruthin*, kept him ſo that none could have acceſſe to him, till he was forced to command the Duke of *Lenox* to depart the Kingdome, (which out of zeale and love to the King hedid in Winter embarking at *Dunbritaine*, came to *France* and dyed ſhortly after) and to change all his ſervants they diſliked, and to ſurround him with themſelves and their owne. They kept their King in captivitie the ſpace of nine moneths, ſuffering none to come at Him, but ſuch as they pleaſed. The Wiſe King put a good face upon a foule buſineſſe, ſeemed to like well of them and their courſes. Nevertheleſſe, the beſt and moſt knowing of Subjects grumbled exceedingly to ſee their Prince ſo abuſed. The Conſpirators underſtanding it, did adviſe upon the beſt courſe to ſatisfie the people, and to bring them to approve their way: They wrought with the chiefe Rulers of the Synagogue, and prevailed. At the next Generall Aſſemblie, they give in a Remonſtrance to them then ſitting in *Edenburgh*, declaring the *Extraordinarie reaſons* that moved them to ſecure His Majeſties Perſon in the Caſtle of *Ruthin*: their zeale to the Reformed Religion, which was in imminent and apparent danger by the practices of the Duke, who was ſent from *France* to *Scotland*, of purpoſe to corrupt the young King: their care to ſecure the King's Royall Perſon, whom the Duke intended to conveigh privately to *France*: their deſire to free the Subjects from the bloodie tyrannie and oppreſſion both of their lives and goods, by the malitious diſpoſition and inſatiable avarice of thoſe who were about him, and over-ruled him; and a great manie mere ſpecious pretences, (which are not much different from theſe of this time;) upon this Narrative, the humble Petition to this Superlative Soveraigntie, was, That the holy Brotherhood would be pleaſed to give an approbation to this their Heroick and Chriſtian Fact, & whatſoever was their judgement, they would obey it with this *proviſo*, That it ſhould be made known to all good Chriſtians within the Realme. The demand was pious and juſt, the holy Aſſemblie ſecured from erring and error, and not encroaching

croaching upon any thing meerly civill, but in a case of so high concernment *in ordine ad spiritualia*, as competent Judges doe take the case into their consideration, after mature deliberation, being assisted with a fancied infallible direction, give out their verdict, authorize and approve all in substance or circumstance to be holily and justly with much zeale and discretion done. In all this, they exceeded not their power, and that because what was done, was for the advancement of God's glorie, the honour and personall safetie of the King, and publique good of the Kingdome: That all good people may rest content, and be fully satisfied; it was further ordained, That all Ministers shall, upon their returne to their Parishes, inimate so much to all their flocks; and withall, exhort all people to esteeme the Actors as good Christians and Patriots, that for the causes above-mentioned were necessitated to take this course, to preserve Religion, to rectifie the errours of the Court, which were brought and wrought to that height, that both Religion and Policie were in the greatest imaginable danger. The Ordinance was accordingly performed, to no small griefe of honest Subjects and Christians. Sir, if there were no more instances, what doe you thinke of this?

It is worth your notice taking, that this Noble Duke dying in *France*, who, before his comming to *Scotland*, had beene bred in Poperie, became a Protestant when he came thither, and was King *Iames* His Convert. While he was a dying, Romish priests were most earnest for accesse, to reconcile him to that Church; but he adhering to Truth, and protesting withall his promise to his Cousin King *James*, would admit none, and dyed in the Communion of the Protestant Reformed Church.

The Soveraigntie of the Assembly is above all Lawes, and may repeale them.

This high Court, the Generall Assemblie, *in ordine ad spiritualia*, challengeth and practiseth a Soveraigne power above all Civill Lawes and Statutes, and Acts of Parliament; And that with that power, that of it selfe it may repeale and condemne standing Lawes, and Acts of Parliament, which are in practice, and observed within the Kingdome.

To give you a recent example and instance of this; Since this Assemblie, of late in this distemper, hath recovered it's place and power, the Generall Assemblies of *Glasgow* and *Edenburgh* have damned Bishops, as Antichristian, and against their Reformation. I wave this. More, they have secluded Bishops or any Churchman

man from having any voyce in Parliament, Conventions, or Councell. Thus by their owne most proper Ecclesiasticall authoritie, they have made voyd many Acts of Parliament there, which before were in force and practice: As that in *anno* 1584, *declaring it Treason to call in question the power and authoritie of any of the three Estates* (that is, Bishops, Lords, and Commons) *or any one of them.* This Act was made onely to preserve the priviledges of the Ecclesiasticall estate inviolable: This is evident by the King's Declaration put forth the yeare following, 1585. Againe, they have made voyd another Act of Parliament, in *anno* 1597. *Ordaining Ministers, that should be provided by His Majestie to Prelacies, to have Vote in Parliament, as being the third Estate.* Another, in *anno* 1606.

The same Assemblies did declare the Acts of the Assemblies of *Glasgow, Perth, &c.* null, voyd, and unlawfull; which notwithstanding were enacted as Municipall Lawes, obedience commanded, and practised in the greatest part of the Kingdome. How much King *James* His happie memorie is blasted, by these supercilious new Orders of those Assemblies, my Pen blusheth to expresse.

The same Assemblies have condemned the High-Commission Court, declared by Act of Parliament. And this is done upon this ground, which proveth their *Soveraignitie in spiritualibus*, because it was not consented to by the Church: that is, the Virtuall Church, the Generall Assemblie.

When I consider these things, I cannot sufficiently wonder, how the High Court of Parliament of *England* hath swallowed and sworne their Covenant, which in it's right sense doth establish a Court above King and Parliament. Judge now, if this Oath be *in Iudicio, veritate & justitiâ.*

An Ecclesiasticall Court.

If King and Parliament be subordinate to this Court *in spiritualibus*, or *in temporalibus in ordine ad Ecclesiastica*; all the reason in the World will plead, That it is most just, that all Judicatories whatsoever, even the Supreamest, from whom lyeth no appeale, submit and subject themselves to it.

All Judicatories are subordinate to this Sanhedrim.

The holy Fathers of this Court have shewne their Right in this poynt too. To confirme this, I will bring but one instance, and spare to trouble you with more.

This Storie can be made good by Records, which I am to tell you: And first, give me leave to informe you, That the *Lords of Session* (who by Act of Parliament are so) are in all *Civill causes*

the Supreame Judicatorie of the Kingdome under the King. No Judgement passed there, can be rectified or reduced by any Judicatorie under the King and Parliament, but by themselves, which is onely by *suspension of Execution* of that is judged and decreed, or by action of *Reduction:* This is nothing but *provocatio à Philippo malè edocto ad Philippum rectiùs edoctum.* This thus premised, I come home.

M. *John Graham*, one of the Judges of that Associate Body, had commenced an ordinarie and proper suit before the Lords of Session, obtained *Decree and Judgement* according to his Libell. After which, a rumour was noysed abroad, that the Writs and Evidences, upon which his suit, and the judgement upon it were founded, were forged and false. The Generall Assembly tooke notice of this injust Decree, as they to whom the inspection of Religion and Justice belongeth, and who were bound not to suffer such an unjust judgement to take place and be executed. They send for M. *John Graham*, commanding him by their authoritie to passe from his *Decree*, to make no use of it against the partie against whom it was obtained, and that because it was purchased upon false grounds, and *it gave occasion of great scandall*, That he being a Judge, should make use of such Writs. His answer was, If any would challenge his *Decree or Judgement* upon any just ground, he might have his recourse to the *ordinarie Judge*, and take it away by *way of reduction*; but so long as it was not reduced, it concerned him to take the benefit of it. Then seeing that they could not prevaile by admonition, they threatned him with Excommunication, if he did not what they enjoyned. He appeales from them to the *Lords of Session*, as the onely *Competent* Judges in such cases: notwithstanding, they resolve to proceed against him. The Lords of Session finding themselves interessed, and the Assembly usurping upon them and their power, in this proceeding against one of their own number, who had appealed to them in a civil cause already judged by them, directed some of their number to the Assembly, & desired them not to meddle any more in that businesse, as being meerly civil, & no wayes belonging to their jurisdiction. This produced no other effect, but incensed the holy Fathers to rayle against the Judges as wicked and corrupt men, who sided one with another, whether it were right or wrong. The businesse at last came to this height, that the Lords of Session (who would not suffer them

to

to encroach upon their Priviledges) by vertue of that delegate power and authoritie they were inveſted with from the King, threatned to out-law them, and to proclaime them Rebels to the King, if they proceeded any further, and would not admit of the appeale. The Aſſembly finding themſelves too weake, and not able to make their part good by Power, (in which caſe onely they will be Martyrs) fell from the purſuit, and all was quieted.

Now I beſeech all men ſeriouſly to conſider, in what condition are they that live under ſuch a Government that is boundleſſe and univerſall; will give Lawes to King, Councell, and Parliament; Repeale theirs at pleaſure; reduce and make voyd Decrees and Judgement of Higheſt Judicatories, &c. What Peace or Tranquillitie can there be in ſuch a State or Kingdome? Give me leave to tell you a true ſtorie. It is knowne and lamented by all good men this day, how King *Iames* His Soule was vexed with them, that many times they have made Him fall out in teares. A Noble man, a moſt wiſe man, then Chancellor, ſeeing the King extreamely troubled at the miſ-carriage of the Miniſterie, ſaid to Him: Sir, no man is to be blamed, that you are ſo much troubled with the Miniſters, as your ſelfe; for when they doe any thing amiſſe, you never ceaſe till by your Royall Prudence and Authoritie you ſet it aright againe: but would you leave them to themſelves, the very Body of the People would riſe up againſt them, and ſtone them out of the Kingdome. His Majeſtie returned a moſt pious Anſwer, worthie to be written in Letters of Gold in Marble, that all Kings may learne it: My Lord, ſayth he, your Advice is ſhrewd Policie, but your Counſell is not good Pietie; If I had no more to doe, but to ſerve my ſelfe of them for a Politique end, your Advice is good, and I know it would prove ſo: But God hath appointed me a Nurſe or Father of his Church; it is my charge from my Lord and Maſter, to preſerve his Church, and not to ruinate it: which if I doe, God will ruinate me and my Poſteritie.

King *Iames* in the Conference at *Hampton-Court* hath well obſerved, That this Eccleſiaſticall Government prepareth way, and uſhereth in a Democraticall Government: and he telleth alſo, That in His Mother Queene *Maries* abſence, and in His owne Minoritie and Non-age, it was much thought upon and intended.

Their

Their Maximes of Divinitie lead to it; for they say, *Respublica est in Ecclesiâ:* The Church and her Policie are the Houſe, the Civill Government is but the Hangings, which neceſſarily, for decencie and good order, muſt be made conformable to the Houſe: Monarchie is enmitie againſt the Church. *Catherwood*, in his Book entituled *Altare Damascenum*, gives you it in down-right tearmes, *Naturâ inſitum eſt omnibus Regibus in Chriſtum odium*; and in his Preface or Epiſtle (I have not the Book by me) he calls K. *James*, *Infenſiſſimum & infeſtiſſimum purioris Religionis hoſtem.* And that they may now exerciſe all their Power, and bring the Kingdome to a Popular State, which was not ſo feiſable before, it is more then probable, and much to be feared, and with great prudence to be prevented; becauſe the Generall Aſſembly hath in it now the prime Noble men of the Kingdome, Dukes, Marqueſſes, Earles, Lords; the moſt active and knowing Knights of Counties, and Eſquires; the wiſeſt Citizens and Corporations; and this, in the Capacitie of *Ruling-Elders:* who diſcontented, are able here to make a Faction, call King, Seſſion, Councell, or whom they pleaſe, before them, becauſe of their ſupreame, univerſall, and independent Juriſdiction. And this Judicatorie cannot erre in its determinations, for it is undoubtedly ſecured from error, and aſſiſted with infallibilitie.

This they wickedly aſſume.

A holy Trick, which hatcheth all Sedition and Treaſon.

This Divine Policie hath another ſacred Trick, to preſerve its Soveraigntie, and to continue it, which is this: The Generall Aſſembly ordinarily meets but once a yeare, yet at the end and cloſe of every Generall Aſſembly, there is a choice made of ſome Commiſſioners, (a Committee) who are to reſide, or at leaſt upon any neceſſarie occaſion to be at *Edenburgh*. Theſe are the Virtuall Aſſembly, and their Power continueth till the next Generall Aſſembly. They are in the firſt place, to intimate to the King the deſire and demands of the Aſſembly, and to ſee *all due civill Sanction and confirmation given to it:* the King, His Councell, His Parliament can change nothing of their ſacred Decrees, without their conſent. What-ever new occurrence is in Church or State *pro re natâ*, theſe Commiſſioners are to give order and to ſee, *ne quid detrimenti Eccleſia capiat*. It is true, their Orders bind onely in the *interim* betwixt the two Aſſemblyes, and the next plenarie Generall Aſſembly may *derogare, abrogare, obrogare*, &c. yet give me leave to tell you truth; theſe great Delegates, with their Power, have

have ſo much influence upon the next Generall Aſſembly, that their προβουλευματα precognitions and predeterminations are formally and Legally enacted. Nor is this to be wondred at; for the *Achitophels* and *Joabs* of Church and Kingdome, the beſt head-peeces of greateſt depth, Preaching and Ruling-Elders, are in this *Junto*.

Here are all diſturbing Seditions, and treaſonable courſes hatched and conceived; whether it be Treaſon againſt the King, Sedition in State or Kingdome, the change of Court, the removing of Courtiers from the King, the ſurrounding of Him with others, &c. The next Aſſembly ownes all their courſes, Decrees them under pretence of Pietie, Reformation of abuſes, removing of Malignants from the King and His Counſell, from being Judges in the Supreameſt Judicatories of the Kingdome, &c. By this meanes at pleaſure, when and where they will, they procure Parliaments to worke for their owne and private ends. To facilitate the worke, Order is given to all Presbyteries, to command all the Miniſters to Preach to their Flocks, to make and keepe Faſts, for the danger the Church is in; that the King is inclinable, nay, inclining to Poperie; that there are none in truſt or power by Him, in Court, Councell, Exchequer or Seſſion, but ſuch as are Popiſh or Popiſhly affected: and ſuch they muſt be, if they once determine it. And wofull experience hath confirmed it, that Worthie, Innocent and deſerving men have ſuffered, and the King hath beene forced to abandon His beſt Servants.

This trick was practized here of late in England.

This cloſe Committee hath all theſe prerogatives: Firſt, During the *interim* betwixt two Aſſemblies, they had truſt to ſee, that all the Orders and Decrees of the Grand Conſiſtorie ſhould be put in Execution. Next, upon any exigent intervening, they have the power, by their influence upon all the Presbyteries in the Kingdome, to make them goe which way they thought fit for their owne ends, both to make the Miniſters Preach their ſenſe, and to worke with all the people to beleeve, the poſture of affaires in Church and State, were as they informed and repreſented them. Thirdly, here were all things prepared for the next great meeting of the Generall Aſſembly.

By theſe meanes, things projected were effected. This way, the Queen Regent was put from Her Regencie: This way Q. *Mary* was expulſed *Scotland*: This way, King *James* His captivitie at *Ruthen* was found to be good Service: This way, that Noble Duke

of *Lenox Esme* was made a Papist, and the King forced to abandon him, and he to depart the Kingdome in Winter being sick, and shortly after dyed in *France*. By this meanes, if I be not deceived, was that infamous day the 17 of *December, anno* 1596. *atro signanda lapillo*, renowned for a most horrid insurrection in *Edenburgh* against K. *James* and His Prime Counsellours. I shall give you a short and true account of it.

The Storie of 17 December, 1596.

King *James*, whil'st He was King of *Scotland*, by all forraigne Kings, Princes and States, was admired for His extraordinarie Royall endowments: Ambassadours from many beyond Seas at the same time, and almost constantly were with him. The smallnesse of the Patrimonie of that Crowne, was not able to maintaine that Royall deportment He kept. Besides, being too too Royally liberall and magnificent, His Coffers were emptie, and at this time scarce was His Majestie able to maintaine the necessary charge of His House, in that measure which was suitable to so Royall a King. To rectifie this, the King, with the advice of His Councell, entrusted with all His Rents, Revenues and Casualties, Eight prime men of good worth and integritie, Officers of State, Counsellours and Judges. This was done, that all might be rightly regulated; and before all things, His Tables at Court kept like a Kings, that forraigne Ambassadours might not espie any want, which might derogate from the Honour of King and Kingdome. The ordinarie Tables of the Court were regulated; the Courtiers dayly allowance was re-trenched; which they could not away with: They, and other discontented persons, did reproachfully call these men, *The Octavians*. They, who grumble at this, & would right themselves, to gaine their intendment, hit upon the ordinarie and safest way; that was, to begin with the Church. They informe, That the forraigne Ambassadours did worke upon the King to turne Papist: That it was like they would prevaile, for these *Octavians* were all such in their hearts, and dissembled onely, in professing to keepe a communion with the Protestant Church; That if those were not removed from the King, and good men put about him, Religion, Kingdome, and all were undone. When this had beene often informed and suggested, early in the morning, on the 17 day of *December*, three of the Kings Domestick Servants came to M. *Walter Balcanqual's* house; The Ministerie of *Edenburgh*, and others Commissioners of the Generall Assemblie, with some of the best Christians

of

of *Edenburgh* are ſent for; they meet there. The Kings Servants informe, That all was undone, if they did not in time and ſpeedily prevent; for the Marqueſſe of *Huntlie*, (this was the late Marqueſſe who came occaſionally the night before to Court, and it is true he was Popiſh, but God knowes he was free of what he was charged with) ſay they, was with the King till twelve a clocke at night in his Bed-Chamber yeſter-night; it is reſolved upon, to reereſt Poperie, and ſo many of your beſt Citizens and Chriſtians are to be ſeized upon; ſome to be ſent to *Blacknes*, ſome to *Innernes*, ſome to *Dunbritton*, *&c.* The caſe was apprehended in that zeale which became the Cauſe. The reſolution taken, was, That M. *Walter Balcanqual*, being to Preach that very day in the Chancell of Saint *Giles* Church, which they call the little Church; after Sermon and Prayer done, he ſhould deſire all good Brethren and Chriſtians to meet immediately forthwith there, for the good of Church and Religion: Noblemen, Gentlemen, Preachers, Burgeſſes, all who affected the good Cauſe, did meet. M. *Robert Bruce* was appoynted by common conſent, Moderator. It is layd open in what caſe Church and Religion, State and Kingdome are: the urgent inſtant neceſſitie is made to appeare. The reſult of the determination was, That preſently they goe to Armes, and by holy force to pull from the King's ſide thoſe *Popiſh Octavians:* That a Letter be written to *John, Lord* Marqueſſe of *Hamilton*, to come to *Edenburgh*, to *be Captaine of the Congregation*; and in regard the King had made defection from the true Religion, He being the neareſt of the blood, ſhould come and take the Government upon him. I know the juſt Copie of this Letter is extant to this day. They run to Arms; the Word is, *The Sword of the Lord, and Gideon.* The good King was in the place of Juſtice, the prime of the *Octavians* with him; hearing ſomething of the uproare and tumult by a ſecret paſſage, he and ſome other goe up to the Exchequer-houſe over-head. A great Lord was Head of the Congregation, he & ſome others, who came Commiſſioners to the King, were admitted, demanded thoſe *Octavians* to Juſtice. The King askes this Lord, How durſt he, againſt His Authoritie, His Lawes, His Proclamation, keep unlawfull meetings at *Edenburgh*? (for the K. before had diſcharged the meeting of thoſe Comiſſioners of Aſſembly, or any other meeting whatſoever, without His Royall Warrand.) The Lord, with courage in zeale to a good Cauſe, told the King, That He ſhould ſee

ere long they durst to doe more. The Lord, or some other, taketh hold of one of the *Octavians* Gowne, who was President of the Session; but he pulleth his Gowne out of his hand, and conveyeth himselfe downe to the house where the Lords did sit in judgement. In fine, the King and Lords were forced to shun the danger of this tumultuarie insurrection, to close up the doores, and some to stand with their Swords drawne, if any should offer violence to breake up the doores. Some good Subjects, especially *Alexander Home* of *Northbervick*, for the time Provost of *Edenburgh*, and *Roger Mackmath* (whom King *James* ordinarily called His Baylife) with others well disposed and Loyally affected Subjects, and namely, the *Hammer-men*, rise up in Armes for the King; who, partly by smooth words, and partly by threats, husht and housed the Factious and Seditious. The King came out of the place of Judicatorie, and on foot, attended with many Nobles, Gentlemen, and other good Subjects, came to His Palace at *Halyrude-house* in Peace: where, immediately in the afternoone, he convened His Privie-Councell, and by His Wisedome and Authoritie so represt and punished that insolencie, that all the time of His Reigne the like Barbarous treacherous course was never attempted. I hope you are the more apt to beleeve this, when you remember what a Petition or Declaration was presented to Q. *Elizabeth* at *Greenwich*, *anno* 1582. to remove from Her Service and Trust such as they know were not well-affected to the Religion and Church.

I could make it appeare how all Seditions almost and Rebellions in that Kingdome, have beene set a foot or fomented by this Presbyterian Government (which hath no warrant from the Word of God:) How neighbourly Feuds have beene encreased and entertained: How Moneys Collected for the relieve and support of *Geneva*, were by the Chiefe *Gemahels* & Presbyters interverted, employed to rayse and pay Souldiers, to ayde and assist the Earle of *Bothvel* and his Complices in Rebellion against the King. I feare I have wearied my Reader alreadie, the Subject is everlasting, and I am weary of it.

If I should give account of the late practices and Tenets of this late Covenant, it were possible to let you see that it hath farre exceeded all the mischiefe ever their fore-fathers did, although they tread in the same foot-steps. The reason why I have spared it, is not I feared it; I hope to discover it sometime to the World, by anatomising

mising it fully. I hope, all knowing Christians and Loyall Subjects have espyed the ungodly passages in it, and are sufficiently confirmed, that nothing can be more destructive of Monarchy, and the Peace of any Government. To shut up all, give me leave in the close, to give the Articles of their Apostaticall Creed inconsistent with Monarchy, which they hold as the twelve Articles of the Apostolicall Symbole. I will touch onely the prime of those; for, for their other Articles, they are so many, and of so vast an extent, abounding in Negatives, that as King *James* saith well, He that would keepe them, is not able to keepe them in his Braine, but must keepe them in a Table-Booke.

The Articles of the Dogmaticall Presbyterian Faith inconsistent with Monarchie.

I. AS I have said before; They Preach and maintaine, That the Church is the house of God, the civill Policie and Government are onely the hangings. *Their Dogmaticall Creed.*

II. Next, they beleeve, all Ministers are *pari consortio honoris & potestatis præditi*, that there must be a paritie in the Church: Joyne these two together, and you have a faire way for Democracie.

III. They vindicate to themselves and their Consistorie a Soveraign, compleat, universall, independent power in all things spirituall that concerne Salvation, they have not only the directive power, but the Legislative also; and all temporall things, in order to Salvation and Religion, come within the Vierge of their Scepter. All Soveraigne Power (whereseever you fix it) whether in one, as in a Monarchie; or in few, as in an Aristocracie; or in many, or all, by vicissitudinarie turnes have onely the Executive power to doe as they command; and is bound to preserve by it's Power, Lawes and Armes, their sacred and celestiall Priviledges and Soveraigntie.

IV. Whatsoever Laws, civilly enacted by King or Parliament, they conceive to be against the Lawes of the Kingdome of Christ; by their native proper intrinsecall right, immediately derived from Christ, they may repeal and make voyd, & discharge the Subject to obey them. They may Decree, not onely different Lawes of their owne, from the standing Lawes of the Kingdom, but contrary, contradictorie and destructive of them. And have withall so much coactive power, that if obedience be denyed to the Lawes of this Soveraignti, they can destroy the Soules of the Subjects, by delivering them over to *Satan*.

V. No Minister, Preaching in Pulpit Sedition or Treason, or rayling at King, Councell, the prime Judges, is accountable, or punishable by King, Parliament, Councell, or any Judicatorie whatsoever: But from all, he may appeale to the *Sanhedrim* and *Consistorie*, as the sole and proper competent Judge.

VI. What Corroboration or civill Confirmation, or Sanction they demand of the King, which he is able to doe civilly (for they will give him no formall intereſt in any sacred or religious thing) He is bound to grant it, and to obey them as Christ's immediate Vice-gerents: otherwise, they may Excommunicate Him.

VII. Reformation and preservation of Religion, especially to prescribe the way and Orders for Reformation, is solely theirs.

VIII. The King is bound to put their Orders in Execution; but if neither He, nor His Councell, nor His Parliament will doe it, the Inferiour Judges, the Nobles, the Commons, nay, every individuall man to his utmost power, at their direction, are bound to do it.

IX. That they may, without Warrant of Supreame Authoritie, Assemble where and when they will, for God and Christ's Cause, and for the Libertie and Peace of Subject and Kingdome, *in ordine ad spiritualia*; and there they may Covenant together, Sweare, and subscribe, for the glory of God, the advancement of Religion, and conspire, and combine in a mutuall defence one of another, in this holy Cause and League.

This Position is contrarie to the Word, By me Kings raigne. *Prov.* 8.15. So their power is from God, *Rom.* 13. 1.

X. They teach and maintaine, That all Soveraignitie and Majestie in a *King* is originally, immediately and properly derived from the Communitie, and that onely by way of a fiduciarie truſt; so that it is habitually and radically still in the People, and the *King* hath no greater portion or proportion then He hath by the first popular Fundamentall Constitution: And in case of deficiency, the collective Body may supply in Church or State the defects of His Government. For want of good administration, the *King* is censurable; For enormous errours He is deposable, and they may dis-inherite His Posteritie.

XI. That a defensive Warre is lawfull against a bad *King*, or a weake *King* seduced by Malignant *Councell*.

XII. They may oppose and resist all His Officers and Commissioners by force and violence, if they come to Execute His illegall Commands. And if He will be so obstinate, that He will come in Arms against these* good Christians, they resist not His Authority, but His Will: not his Office, but His Person. Be-

**As good as Rebells and Traytors.*

Besides their practice, upon these grounds, is to bring all Cases, all Causes under their Cognition and Judgement, *sub formalitate scandali*; by which the King is robbed of His Sacred Prerogative, the Judges of their authoritie, and all Subjects of their Right and quiet. The rest of their Extravagant Maximes, most repugnant to Monarchy, and the Peace of Government are reduceable to those Heads which are full of Poyson, and containe in them the spawne of Treason and Rebellion. God preserve all good men from swallowing this Poyson, and save his Church from this Presbyterian-Scourge; which Government is so inconsistent with Monarchy, that it is not onely destructive of the Regall, but of all Governments whatsoever. If once it should be established here, (which the God of might and mercy forbid) Then I would send a Farewell to Religion, to Peace, and the Subjects Libertie, which cannot stand with the Factious discords of a Tyrannicall Independant Presbyterie.

℣. *Da pacem Domine in diebus nostris.*

POST-SCRIPT.

WHereas the Proctors and Factors for a Presbyteriall Government, gull and delude the people with loud clamours and assertions, That their Modell is agreeable to the most and best Reformed Churches; It is evident, by the most approved Cosmographers, and others, who follow Truth, not Parties, That the Major part of the Reformed Churches in Christendome doe still retaine *Bishops*, to bridle the Insolencies of their Inferiour Presbyters, and to direct them in the discharge of their severall Functions: Who, without the guidance and command of Wise and Grave *Over-seers*, would fall (as they doe now) into foule and horrid Schismes, which would grow into Heresies and such grosse Opinions, as now begin to spread in *London*, and other Adjacent Countries.

The

The *Reformed* Churches that ſtill retaine Biſhops, are, beſides the Eaſterne and Weſterne Churches,

1. All in the Dutchies of *Saxonie*, *Brunſwicke*, and *Lunenburg*.
2. All in the Dutchies of *Megaloburg*, and *Wirtemburg*.
3. All of the Churches within the Countries of the *Marqueſites* of *Bradenburg*, and *Bade*.
4. The Churches in the *Earledomes* of *Hamelberg*, *Lemings*, *Mansfield*, *Stalbergh*, *Rhemiſterne*, *Swartzenberg*, *Hannawe*, *Oetingh*, *Glich*, and *Leonſtine*.
5. All in the *Baronies* of *Leniferg*, *Schenburg*, and *Wildenfield*.

Whereunto may be added, all the Churches in at leaſt thirty free Cities more; many of whoſe Territories are as ample as *Geneva*, none of theſe have received the Presbyterian Diſcipline.

To all theſe, we might likewiſe adde the remander of the *Waldenſes*, and *Albigenſes*, in *Piemont* and the parts adjoyning; or of the *Taborites* in *Bohemia*: All which, with the fore-named, together, with the *Lutheran* Churches in *Poland*, *Denmarke*, and *Sweth'and*, are a ſufficient evidence, to evince this truth againſt the *Smectymnians*; that they, who having taken the late Covenant (a great ſnare to tender Conſciences) thinke themſelves obliged to deſtroy Epiſcopacy, endevour a Reformation, neither agreeable to the Word of God, nor according to the example of the beſt Reformed Churches: I do appeal to *Calvin* himſelf, & *Beza*, to be Judges in this caſe; You may reade at large the Opinion of the former, in his Booke *de neceſſitate Reformandæ Eccleſiæ*; and of the latter, in his Booke *de Grad. Miniſter. Evangel. C.* 18. *Sect.* 3. In both which, the Presbyterians may clearely ſee, that their Champions, on whom they ſo much rely for their Authoritie, were no enemies to *Moderated Epiſcopacie*, but onely to the *Romiſh Hierarchie*.

I pray God open the peoples hearts, and ſo enlighten their underſtandings, that they may ſee their Errours, and abhorre their Seducers.

FINIS.